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ENERGY AND WATER DEVELOPMENT APPROPRIATIONS FOR 1997

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BEFORE A

SUBCOMMITTEE OF THE

COMMITTEE ON APPROPRIATIONS

HOUSE OF REPRESENTATIVES

ONE HUNDRED FOURTH CONGRESS

SECOND SESSION

SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

JOHN T. MYERS, Indiana, *Chairman*

HAROLD ROGERS, Kentucky
JOE KNOLLENBERG, Michigan
FRANK RIGGS, California
RODNEY P. FRELINGHUYSEN, New Jersey
JIM BUNN, Oregon

TOM BEVILL, Alabama
VIC FAZIO, California
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NOTE: Under Committee Rules, Mr. Livingston, as Chairman of the Full Committee, and Mr. Obey, as Ranking Minority Member of the Full Committee, are authorized to sit as Members of all Subcommittees.

JAMES D. OGSBURY, BOB SCHMIDT, JEANNE WILSON, and DONALD M. MCKINNON,
Staff Assistants

PART 8

(Pages 1283–2617)

TESTIMONY OF MEMBERS OF CONGRESS AND OTHER INTERESTED INDIVIDUALS AND ORGANIZATIONS

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ENERGY AND WATER DEVELOPMENT APPROPRIATIONS FOR 1997

HEARINGS

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ENERGY AND WATER DEVELOPMENT APPROPRIATIONS FOR 1997

TESTIMONY OF MEMBERS OF CONGRESS AND OTHER INTERESTED INDIVIDUALS ORGANIZATIONS

KENTUCKY PROJECTS

TUESDAY, MARCH 5, 1996.

WITNESSES

HON. SCOTTY BAESLER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF KENTUCKY

HON. HAROLD ROGERS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF KENTUCKY

HON. JIM BUNNING, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF KENTUCKY

Mr. MYERS. The committee will come to order. Today being Kentucky day we welcome the Kentucky Delegation. I can't think of any congressional delegation that works harder for their State, for the Commonwealth, as you folks do. You work well together and are to be complimented. We are pleased to hear the dean member of this committee, and he usually takes care of Kentucky all right. We are pleased to hear from your delegation for the next 30 minutes. Prepared statements will be placed in the record.

Mr. ROGERS. Thank you for agreeing to hear our delegation en masse as you have for all these years. This occasion is a special one because this is unfortunately the last one at which the Chairman will be with us, having announced his retirement, unfortunately for all of us; fortunately, I guess for him.

Mr. Chairman, we appreciate so very much over these years all of the consideration that this committee and the Chairman in particular has given Kentucky and our peoples' needs. It has been a remarkable tenure that the Chairman has had of this committee and as Ranking Member for the many years that he served in that capacity.

There are untold thousands of people in my district, and I am sure in the districts of all of us across the country, who need to say a word of thanks to you and to Mr. Bevill and the other members of this committee not for just a perfunctory amount of work, but for a profound change in their lives.

There are people whose homes would not exist because of floods in those districts. Because of the work of this committee, perhaps lives are being lived today that would not otherwise have lived because of possible death from flooding that has been prevented by the work of this committee. So the work that you have done is profound in flood control, and all the other aspects of this committee that we generally don't talk about, the energy production and the nuclear weapons production that this committee oversees, the work of research in many, many aspects of our national life overseen by this committee, and so we owe you, Mr. Chairman, a great debt of gratitude.

I wish there were a way that we could say that and make that more profound to you and Mr. Bevill, who has served as Chairman of this committee for these many years. As I was saying before Mr. Bevill stepped in the room just now, there are people whose lives, Mr. Bevill, are being lived today that otherwise might have been lost due to a flood that this committee has prevented. So the work that you have given us and the Nation is profound. It has been enormous.

There are enormous improvements that have taken place not just in flood control, but in channel protection and energy research and weapons production and all the things that this very important committee of the Congress has overseen. This delegation has changed over the last few years. The Chairman introduced me as the dean of the delegation. I don't think of myself as being that old.

Mr. BEVILL. It slips up on you, doesn't it? Bill Natcher; I was thinking about what Bill always pointed out. Like you, we had worked together all these years and we certainly feel that way about each of you, Jim and all of you that we have been working with all these years. We appreciate you and appreciate the whole Kentucky Delegation.

Mr. ROGERS. You have certainly shown that, and I should say, Mr. Chairman, you have shown your kindness and wisdom towards us because you have helped us in our projects down through the years, all across our State, and we cannot adequately thank you enough for all the help you have given us.

I am going to save listing the projects that I will be asking help on to another time and defer to our colleagues this morning, and recollect the times when Carl Perkins, Bill Natcher, Carroll Hubbard, Ron Mazzoli, Larry Hopkins, and Gene Snyder, sat before this table. What a great collection of talent in the Kentucky Delegation.

Mr. MYERS. My heart is still sore.

Mr. ROGERS. Nevertheless, I hope that the Chairman and the Ranking Member and Mr. Knollenberg and others realize how very much this delegation appreciates you, and this subcommittee, and we wanted to express our deep appreciation for all of the years of hard work you have given in support of our people. With that, let me recognize Mr. Bunning.

Mr. BUNNING. Thank you, Congressman Rogers. I am here to do likewise. I am here to thank Chairman Myers, Tom Bevill, my good friends and all members of this subcommittee because they, I believe, have been very gracious in all the years I have been coming here, and this is my 10th year before this subcommittee. I don't think you have turned down one request. It all got done over the 9 years prior that I have requested things, and I am deeply appreciative of that. I am here to ask for nothing today. I have no projects.

Mr. MYERS. Keeping the record intact then.

Mr. BUNNING. I do want to state this. I want to——

Mr. MYERS. You are batting a thousand.

Mr. BEVILL. Be sure to get that in the record.

Mr. BUNNING. I want to assist my colleagues and their requests today because I know that they have many, many different needs throughout Kentucky. It just so happens that the Fourth Congressional District is in fairly good shape as far as the desires and needs from this subcommittee.

Mr. BEVILL. You are saying that, if I may interrupt you, it reminds me that Bill Natcher used to say that Carl Perkins didn't have anymore room in his district for anymore public works projects, and I think the Chairman is reaching that point now.

Mr. BUNNING. He and I share Carl's district so I want you to know that he still has some needs. The ones in the other end of the district have been taken care of very well.

Mr. MYERS. Any ravine bigger than a bathtub has a dam on it now.

Mr. BUNNING. They do. Similar to how much we are going to miss coming back next year with Tom Bevill not being here, retiring and you, Mr. Chairman, retiring, we will not have the same rapport that we did with this subcommittee. It is going to be more difficult no matter who takes your place. If we move Hal up to that chair, it may be easier. I want you to know how much I appreciate it.

Mr. BEVILL. John Myers and I agree that Joe is going to make the best Chairman we have ever had.

Mr. ROGERS. Mr. Baesler.

Mr. BAESLER. Thank you, Mr. Chairman, Mr. Bevill. I would like to talk about three projects today, one which is a continuation for many years thanks to this committee, the Kentucky Rivers Locks and Dams, which last year the committee allocated $3.3 million. This is a project that we hope to finish this year.

Unfortunately, last year we had asked for $6.5 million and you gave us $3 million. Since that time, unfortunately, they have found a problem with lead, trying to transfer it to the States which the Corps indicates is going to cost another $3 million. That project is our number one priority because it is a completion of a project that has been going on many, many years.

The State is prepared to cooperate with the Army Corps of Engineers' mandate from Congress and take over the ownership and maintenance of Locks and Dams 5 through 14. Resistance to the transfer was historically based on the state of disrepair, but that has been handled over the last several years thanks to your committee, and we appreciate it.

Beginning with fiscal year 1993, the Army contracted and completed necessary repairs of the Locks and Dams 5 through 10. The State has recently executed a deed that will transfer Lock and Dam 10 to the Commonwealth, and they will be responsible from that point on. Three million dollars was appropriated for fiscal year 1996 and the work continues on Locks and Dams 11 through 14.

The Kentucky River is a water source for a great deal of Kentucky, especially the eastern end. It is estimated that final appropriations of $3.6 million will complete the repair work on the system and place the Commonwealth in a position to accept transfer of it.

Initial efforts to proceed with the transfers of the locks and dams have been delayed due to the presence of contaminated soil associated with the build up of lead, an environmental problem found in the last year. The remediation activities performed at Lock and Dam 10 in Madison County by the Army Corps included background sample testing, excavation, disposal and locating and hauling the borrow material.

Soil tests at additional Federal properties reveal similar lead contamination problems. The estimated cost of this cleanup is $3.9 million. The committee is requested to include $7.5 million for the Corps to continue this critical repair and maintenance work, which would include doing away with the problem with the lead.

A second project is a new project. I haven't been here 10 years. I am starting on some new ones. In Perryville, Kentucky, is the site of Kentucky's most important Civil War engagement. It is a very important site. Some historians believe that the battle of Perryville was as decisive as any other of the 4-year conflict of the Civil War.

The Chaplin River has flooded the historic town of Perryville three times in the past 31 years, causing significant damages to the property. According to the mayor of Perryville, any storm event with a total rainfall of 4 inches or more will result in significant flooding. In addition, the bridge crossing the Chaplin River in the city is a major east-west route for U.S. highways. This bridge was not constructed high enough to prevent it from being overcome with floods.

Although the 1984 Corps of Engineers channelization project on the Chaplin River has helped to control the flow of the water, a watershed project is needed to address the quantity of water before it reaches the town. This project request proposes the construction of approximately 55 earthen embankments that will have a high stormwater storage capacity, up to 300 acre feet total, to better control the runoff. For this we are requesting consideration of $909,103.50.

Mr. BEVILL. What is that 50 cents for?

Mr. BAESLER. I don't know.

The third and last project is a continuation of last year. Flooding occurs on the left bank of the Kentucky River immediately downstream from the mouth of Benson Creek. Flooding in the low-lying areas is made worse by backup in storm sewers.

In order to solve the flooding problem, the City of Frankfort needs to know if a small levee would be technically feasible. Last year, $65,000 was earmarked for the Army Corps study and this year we are asking for $85,000, which will complete the necessary funding for the feasibility study. We are often asked what is your top priority. The top priority was the Kentucky rivers and locks and dams. The last one would be the second priority. The third would be the Chaplin River.

Thank you for your consideration. I haven't been here as long as my distinguished colleagues, but I hope to be. We have enjoyed in the short period your consideration for our State and hope that Hal runs out pretty soon so we can send some to the rest of the State pretty soon.

[The statement of Mr. Baesler follows:]

Testimony of Congressman Scotty Baesler
Subcommittee on Energy and Water Development Appropriations
March 5, 1996

Summary of Project Funding Requests

(1) **Kentucky River Locks and Dams** - Completion of final repair work on Locks and Dams 12-14 and soil-contamination clean-up on Locks and Dams 5-14 for drinking water supply purposes. Upon project completion, the Commonwealth of Kentucky will take title to these Locks and Dams and assume operation and maintenance responsibility. FY 97 Appropriation request - $7,500,000

(2) **Chaplin River Watershed Project** - Construction of approximately 55 earthen embankments that will have high stormwater storage capacity to better control runoff within the watershed. The project will potentially decrease flooding in the city of Perryville and along the Chaplin River. FY 97 Appropriation request - $909,103

(3) **Kentucky River, Bellepoint, Feasibility Report** - Complete feasibility study to solve the flooding problem at the left bank of the Kentucky River immediately downstream from the mouth of Benson Creek. FY 97 Appropriation request - $85,000

SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT APPROPRIATIONS
MARCH 5, 1996

TESTIMONY: Representative Baesler of Kentucky

Mr. Chairman and Members of the Subcommittee, I appreciate the opportunity to appear before you and present for your funding consideration three projects of importance to my district.

The three projects I will discuss represent one project which will result in continuation and completion of a previously funded Corps of Engineers Project, one project which has not received prior federal funding, and one which would complete a feasibility report partially funded in FY 96.

Project One: Kentucky continues to rely on the system of dams along the Kentucky River to provide the primary source of water supply in the central part of the state. Pools established by the dams provide drinking water to over 600,000 Kentuckians who live in the Basin, have significant use for agricultural and manufacturing interests, are critical to coal production, and are central to most future economic development plans for the region including all or part of 42 counties.

The state is prepared to cooperate with the Army Corps of Engineers' mandate from Congress, and take over ownership and maintenance of Locks and Dams 5-14 where commercial navigation has become insignificant. Resistance to this transfer of responsibility was historically based on the state of disrepair of the locks and dams, which has been incrementally corrected through a series of appropriations from Congress. The appropriation requested from this Committee today is calculated to complete repairs of the lock and dam system and to correct identified lead waste problems on the federal lands so that the transfer of the locks and dams may be finally accomplished.

Beginning with appropriations for Fiscal Year 93, the Army Corps of Engineers has contracted and completed necessary repairs to Locks and Dams 5-10, and the state has recently executed a deed that will transfer Lock and Dam 10 to the Commonwealth. The Commonwealth will continue to accept transfers for Locks and Dams 5-9 upon correction of hazardous waste problems. $3,000,000 was appropriated for Fiscal Year 1996 and work continues on Locks and Dams 11-14. It is estimated that a final appropriation of $3,600,000 will finance completion of repair work on the system, and place the Commonwealth in the position to accept transfer of the remaining locks and dams.

The Commonwealth has established the Kentucky River Authority which is actively pursuing plans for construction of a system of release valves and movable crest gates to be financed through state water use fees. The Commonwealth is anxious to move forward with the transfer of the locks and dams so that it may proceed with additional state bond issues and finance construction of a water management system based on current drought period deficits and anticipated future demands for water in the Central Kentucky region. The repair of all dams in the system is critical to these water supply management plans, and the experience obtained by the Army Corps of Engineers and the Commonwealth working under the first three contracts makes it highly likely that the requested $3,600,000 appropriation will complete scheduled repair work. Fiscal Year 96 appropriations will finance contract work beginning this spring primarily on Lock and Dam 12 and will allow initial work on Dams 13 and 14. This work will include construction of sheetpile cutoff upstream of Dam 12, concrete bulkhead work and placement of derrick stone. This final appropriation of $3.6 million will complete all remaining repair work for Locks and Dams 12-14 through a final contract #5 between the Commonwealth and the Army Corps of Engineers.

Initial efforts to proceed with transfers of the locks and dams with completed repairs have been delayed due to the presence of contaminated soil associated with a buildup of lead during the tenure of federal ownership of these properties. Remediation activities performed at Lock and Dam 10 in Madison County by the Army Corps of Engineers included background sample testing, excavation, disposal, and locating and hauling borrow material. Soil tests at additional federal properties reveal similar lead contamination problems that have resulted from lead paint used on all of the now historic lockmaster structures.

Regardless of the issue of transfer, the Army Corps of Engineers is responsible for the clean-up of these properties under both state and federal hazardous waste laws (Comprehensive Environmental Response Compensation, and Liability Act of 1980 42 U.S.C.A. Sections 9601 to 9675 and KRS 224.01-400). Federal law speaks expressly to the application of state laws to removal and remedial action at facilities owned or operated by the United States Government (CERCLA 42 U.S.C.A. Section 9620(a)(4). Further, the state Natural Resources and Environmental Protection Cabinet cannot approve transfer of these properties to the Kentucky River Authority until adequate clean-up is accomplished. The Army Corps of Engineers clean-up costs at Lock and Dam 10 totaled $76,000. Allowing for the differences at the remaining sites, this cost has been pro-rated to arrive at an estimated clean-up cost for Locks and Dams 5-9 and 11-14 of $3,900,000.

Mr. Chairman, the Committee is requested to include $7,500,000 for the Army Corps of Engineers to continue critical repair and maintenance work at Kentucky River Locks and Dams Nos. 12, 13, and 14 as preparatory to transfer of such facilities to the Commonwealth of Kentucky and in furtherance of the state's planned water management system inclusive of Kentucky River Locks and Dams 5-14. Such transfer will take place provided that environmental clean-up of lead contaminated soil at Kentucky River Locks and Dams 5-14 is accomplished by the Army Corps of Engineers at a level to meet the standards established by state and federal laws.

Project 2: Perryville Kentucky is the site of Kentucky's most important Civil War engagement. Some historians believe the Battle of Perryville was as decisive as any other during the entire four-year conflict, as it may have marked a fatal loss of initiative for the South.

The Chaplin River has flooded the historic town of Perryville three times in the past 31 years. In 1961, the flood resulted in $500,000 in damages (1961 dollars). The river flooded again in 1974, causing over $150,000 in damages. The most recent flood was June 18, 1992 where 45 homes, eleven businesses, and one church were damaged, resulting in $510,000 in damages. Agricultural losses resulted in $398,865 in damages. The Red Cross provided $8,000 worth of food, medicine, and shelter for victims of the June 18, 1992 flood. Total losses from the 1992 flood are estimated at $916,865.

According to the Mayor of Perryville, any storm event with total rainfall of four inches or more will result in significant flooding. In addition, the bridge crossing the Chaplin River at Perryville is a major east-west route for U.S. Highways 150 and 68. This bridge was not constructed high enough to remain dry during flood stage. It is therefore covered by flood water, and struck laterally by the floating debris carried by the river.

The U.S. Army Corps of Engineers completed a channelization project on the Chaplin River in 1984, adjacent to Perryville's Historic Merchants Row. Although this work has helped to control the flow of water in the town of Perryville, a watershed project is needed to address the quantity of water before it reaches the town.

This project request proposes the construction of approximately 55 earthen embankments that will have high stormwater storage capacity (approximately 300 acre-feet total) to better control runoff within the watershed. The U.S. Army Corps of Engineers widened and deepened approximately .25 miles of Chaplin River channel in 1984. Land treatment, if needed, will consist of terraces, waterways, conservation tillage, and crop residue management. The average dam will be about 20 feet high with the capability of storing stormwater runoff. The average sediment pool will be four to six acres in size.

Implementation of this project will permanently reduce the flooding potential for this watershed and historic Perryville. I am requesting $ 909,103 for this project.

Project 3: Flooding occurs on the left bank of the Kentucky River immediately downstream from the mouth of Benson Creek. Flooding in the low lying areas is made worse by backup in storm sewers or seepage below the surface. In order to solve the flooding problem, the City of Frankfort needs to know if a small levee would be technically feasible, as there is a possible underground connection to the river. I am requesting $85,000 in FY 97 for completion of the feasibility study for which $65,000 was earmarked in FY 96.

TUESDAY, MARCH 5, 1996.

KENTUCKY PROJECTS

WITNESSES

HON. RON LEWIS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF KENTUCKY

HON. MIKE WARD, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF KENTUCKY

Mr. BEVILL. I am sure you will do all right.

Mr. ROGERS. Mr. Lewis.

Mr. LEWIS. Mr. Chairman, I join my Kentucky colleagues in thanking you for the opportunities to testify before your subcommittee on behalf of the citizens of the Second District of Kentucky. While the Second District has many important projects, today I want to address our most urgent concerns, as we all know, that funding is limited. As Members of Congress, we must make the most efficiency use of the taxpayer's money in these difficult budgetary times.

This committee over the years has been very kind to the people of the Second District. Funding for river and lake projects has benefitted the folks of the Second District and surrounding areas. I expect funding for the continuation of these projects to be included in the President's budget, and Mr. Chairman, I certainly hope your committee will continue to fund these projects in 1997.

I come before you this year with a new priority, but an old problem. For many years Panther Creek has been a source of flooding problems to the good people of Daviess County. Flooding due to record rainfall in late May and early June of 1995 has brought this issue to the forefront for local citizens. Over the years, urban and rural property owners have experienced losses due to flooding along Panther Creek. Today, however, urban growth from the City of Owensboro and a buildup of sediment in the channel has led to a increasing problem.

Flooding in this area is hampering potential growth and development and continues to damage cropland, homes, bridges, recreational areas, and property. In 1991, landowners and Daviess County officials began to research possible assistance to solve flooding problems. The Natural Resources Conservation Service (NRCS) developed a preliminary plan which contained three alternatives.

In September of 1995, the decision was made to have NRCS provide a detailed analysis of the construction of small flood control structures. The study was completed on limited resources, and I want to thank those local leaders and the NRCS for the Flood Damage Analysis. Although this study is not conclusive, it points to a possible solution for flooding in this area.

Therefore, I am requesting $200,000 for the Corps of Engineers to initiate a reconnaissance study of the feasibility of this project. Corps officials inform me that the normal cost of such a study would be much more—perhaps twice as much. But due to the work that has already been done and other information available, the Corps can complete this feasibility study for a relatively small amount.

I realize that $200,000 is a great deal of money for just another study. However, from the information available and the NRCS study, I believe it is a good investment in a possible solution to these flooding problems.

While this new project is a priority for me and the citizens of Daviess County, I want to remind the committee of the need for continuation of funding for other ongoing projects in the Second District, like the Bardstown, Kentucky, project to protect the water supply treatment facility for that community.

Also, I want to thank the committee for the $50,000 to study the deauthorizing and disposing of Green River Lock and Dam No. 6, and encourage the completion of that project.

If funds are available in Section 205, I would ask that consideration be given to Lebanon Junction, Kentucky, and reinitiating feasibility studies of flood damage reduction for that city.

Again, let me reemphasize the importance of these projects to the Second District of Kentucky. As we work to prioritize and make the best of scarce funding resources, I urge you and your committee to fully consider these needs and concerns.

Again, thank you for allowing me to testify today. Thank you.

Mr. ROGERS. Mr. Ward.

Mr. WARD. Thank you all very much. I appreciate, again, the opportunity of being before you. I say again, because this is just my second time before you as it is Mr. Whitfield's. Between Scotty and Ed and Ron and me, we have, I think, 4, 6, 7, 8, 10 years between us. It took four of us to get 10 years here to match Mr. Bunning.

We are a new delegation, but appreciate the courtesies we have been extended by this committee. That was evident this morning as Mr. Bevill and I were chatting outside. I said I figure if I get there with you I am not late. He said I will tell them I held you up out here. I said that is funny, because I am going to hold you up today.

What I want to hold you up for are five projects in Louisville, and I would like to devote time to these five specific projects. The first and foremost among those is the McAlpine Lock Replacement Project, which involves replacement of a 600-foot auxiliary lock chamber and an inactive 360-foot lock chamber with a single 1,200-foot lock. Upon completion of this new 1,200 foot lock, we will have twin 1,200-foot locks at McAlpine Dam and it will allow uninterrupted flow of traffic along an increasingly busy Ohio River.

Preconstruction and engineering design work has been completed at McAlpine. An appropriation of $8.5 million for fiscal year 1997 will permit the initiation of construction. I greatly appreciate the committee's continued support for this vital project.

There are four flood control projects in Louisville and Jefferson County. They are the metropolitan Louisville, Pond Creek, Beargrass Creek, Southwest and Mill Creek. Three million dollars is requested to begin construction of the Pond Creek Project, $230,000 is requested to complete the feasibility study and start preconstruction and engineering design work on the Beargrass Creek Project. $262,000 is requested for initiating a feasibility study on the Southwest Project, and $500,000 is requested for a reconnaissance study of the Mill Creek Project.

Funding for these four local protection projects, which will result in reduced flooding for many thousands of residential and commercial structures is critical, and I am grateful for the committee's endorsement.

Mr. Chairman, Gordon Garner, who is the Executive Director of the Louisville and Jefferson County Metropolitan Sewer District, which is the local sponsor of these four projects recently wrote to me in support of all four of these projects. With your permission, I would like to have his letter included in the hearing record.

Before closing, I want to mention, as we were kind of going down Memory Lane, that the Belvedere Connector Project has been completed and a ceremony was held last spring dedicating it to our good friend, Ron Mazzoli. As a result of this panel's strong support over the years, a comprehensive redevelopment of Louisville's waterfront is taking shape.

Congressman Mazzoli was very proud on that day as was his family, and as the whole community was that his work and his commitment to our community was being recognized in this very visible way. I want to thank you for that and for all your considerations and to wish Chairman Myers and Mr. Bevill well on their future.

Two more people made their announcements yesterday, as you know. I am beginning to feel a bit like Groucho Marx. I am not sure I would want to be a member of a club that would have me as a member, because we keep losing the seasoned veterans day after day. I want to wish you both well. I know I may have the opportunity of seeing you every so often in May every year. Thank you very much.

[The statement of Mr. Ward follows:]

Mike Ward
Member of Congress
Third District, Kentucky

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Congress of the United States
House of Representatives
Washington, DC 20515–1703

STATEMENT OF CONGRESSMAN MIKE WARD BEFORE THE SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT OF THE HOUSE COMMITTEE ON APPROPRIATIONS

MARCH 5, 1996

Mr. Chairman and Members of the Subcommittee:

It is a pleasure to join my colleagues in the Kentucky Delegation this morning to testify in support of Fiscal Year 1997 funding for important energy and water development projects in the Commonwealth. I would like to thank my friend and a Member of this Distinguished Committee, Hal Rogers, for reserving this time for us.

Mr. Chairman, I will devote my allotted time to requesting your support for a locks modernization project along the Ohio River and for four flood control projects, all located in my District in Louisville and Jefferson County.

The McAlpine Lock Replacement Project involves the replacement of a 600-foot auxiliary lock chamber and an inactive 360-foot lock chamber with a 1,200-foot lock. Upon completion of the project, twin 1,200-foot locks at McAlpine will allow the uninterrupted flow of tow traffic along the increasingly busy Ohio River at Louisville.

Pre-construction and engineering design work has been completed at McAlpine. An appropriation of $8.5 million for Fiscal Year 1997, will permit the initiation of construction. I greatly appreciate the Committee's continued support for this vital project.

The four flood control projects in Louisville and Jefferson County are: Metropolitan Louisville, Pond Creek; Metropolitan Louisville, Beargrass Creek; Metropolitan Louisville, Southwest; and, Metropolitan Louisville, Mill Creek.

$3 million is requested to begin construction on the Pond Creek project, $230,000 is requested to complete the feasibility study and to start pre-construction and engineering design work on the Beargrass Creek project, $262,000 is requested for initiating a feasibility study on the Southwest project, and $500,000 is requested for a reconnaissance study for the Mill Creek project.

Funding for these four local protection projects, which will result in reduced flooding for many residential and commercial structures, is critical and I am grateful for the Committee's endorsement.

Mr. Chairman, Mr. Gordon R. Garner, Executive Director of the Louisville and Jefferson County Metropolitan Sewer District, the local sponsor of the projects, recently wrote to me in support of all of the funding requests. With your permission, I would like to have Mr. Garner's letter included in the hearing record.

Before closing, I would like to inform you that the Belvedere Connector Project in Louisville has been completed and a ceremony was held last spring dedicating it to our friend, Ron Mazzoli. As a result of this panel's strong support over the years, a comprehensive development of Louisville's waterfront is taking shape. On behalf of Louisville residents and those who visit our community, thank you for all your assistance.

I look forward to working with each of you on the very important bill crafted by this panel.

MSD℠

February 9, 1996

The Honorable Mike Ward
1032 Longworth House Office Building
Washington, D.C. 20515-1703

Dear ~~Congressman~~ Mike Ward:

I am writing to ask your support for MSD's priority flood control projects in the Fiscal Year 1997 appropriations bill for the Corps of Engineer's budget. As you know three of these projects - Pond Creek, Beargrass Creek and Southwest Louisville - are continuations from previous fiscal years. In addition, MSD would like to initiate a reconnaissance study of the Mill Creek watershed which is located in southwest Jefferson County. The Mill Creek Reconnaissance Study is needed as approximately 3,300 homes or businesses are susceptible to flooding in this watershed. I have attached brief descriptions of all four projects.

These flood control projects have been developed in coordination with the Louisville District of the Corps of Engineers and we have their complete support. Completion of these projects is of great environmental and economic significance to the city and county residents who are affected by flooding and drainage related problems. Our appropriations requests are as follows:

Project Name	FY 97 Funding Request	Project Description
1) Pond Creek	$ 3,000,000	To initiate construction.
2) Beargrass Creek	$ 230,000	$80,000 is needed to complete the feasibility study and $150,000 is needed to initiate Preconstruction Engineering and Design (PED)
3) Southwest Louisville Study	$ 262,000	To initiate the Feasibility Study
4) Mill Creek Study	$ 500,000	To initiate a Reconnaissance Study

Louisville and Jefferson County Metropolitan Sewer District
700 West Liberty Street Louisville, Kentucky 40203-1913 502-540-6000
P.O. Box 740011 Louisville, Kentucky 40201-7411

The Honorable Mike Ward
February 9, 1996
Page 2

We are also very interested in seeing that a Water Resources Development Act bill be passed this year as the authorization for Corps projects is an important part of maintaining the federal/local partnership that exists between and MSD and the Corps. In particular, we are very interested in seeing that our Pond Creek, Kentucky project is authorized this year.

As always, I would be happy to provide any details on the above projects or brief your staff at their convenience.

Sincerely,

Gordon R. Garner, PE
Executive Director

RFS
coefund3.doc

Enclosure

cc: The Honorable Mitch McConnell
The Honorable Wendell Ford
Colonel Grieco, Louisville District Corps of Engineers

PROJECT INFORMATION

Pond Creek Flood Protection Project

Funding Request: FY 97 $3,000,000
Project Stage: Construction

The Pond Creek project has been identified as one of the most cost effective Corps of Engineers projects with a benefit to cost ratio of 2.6. This project is a continuation of ongoing efforts of the Corps and MSD to reduce the serious, widespread flooding problems in southern Jefferson County. Nearly 16.5 square miles or 18.5% of this watershed is in the floodplain with nearly 13,000 residential, commercial or industrial structures subject to flooding. The Preconstruction Engineering and Design (PED) phase is scheduled to be completed in FY 96. The project will include two major detention basins, several miles of stream channel improvements and a wetland restoration area. The project is estimated to cost approximately $16,000,000 with the federal share being approximately 70% with MSD paying the remaining 30%. Congress approved $300,000 in FY 96 for this project for completion of PED.

Beargrass Creek Flood Protection Project

Funding Request: FY 97 $230,000
Project Stage: Feasibility Study/ PED

This project is also a continuation of an ongoing effort of the Corps and MSD. The funding request includes $80,000 to complete the current Feasibility Study phase and $150,000 to initiate PED. The Feasibility Study is cost shared 50/50 with MSD providing the local match. The PED cost will also be cost shared with the local share being determined at the conclusion of the Feasibility phase (no less than 25% local). Approximately 2.5 square miles or 9% of the watershed is located in the floodplain and approximately 2,000 residential, commercial or industrial structures are subject to flooding. The Feasibility study is evaluating the potential for constructing several large detention basins. Total cost will be determined at the completion of this study. Congress approved $270,000 in FY 96 for this project.

Metropolitan Louisville Southwest Flood Protection Project

Funding Request: FY 97 $262,000
Project Stage: Feasibility

This is another ongoing Corps/MSD project. A Reconnaissance Study for the southwest portion of the City of Louisville is nearing completion. This study is funded fully by federal funds and will determine the cost effectiveness and federal interest in reducing flooding to the nearly 10,000 homes and businesses which have been identified as being vulnerable to flooding. These properties, although protected from Ohio River flooding by the existing flood protection system are subject to flooding from interior streams and drainage systems. The study is evaluating the possibility of constructing several large detention basins, modifications to the existing flood pumping facilities and non-structural solutions such as floodproofing of structures. In FY 96, $100,000 was appropriated for the initiation of the Feasibility Study phase, however these funds were not spent. The requested funding assumes a start of the Feasibility Study at the very beginning of FY 97.

Metropolitan Louisville Mill Creek

Funding Request: FY 97 $500,000
Project Stage: Reconnaissance Study

This project would be a new effort which would be funded 100% with federal funds. The Mill Creek watershed, located in southwest Jefferson County is protected from flooding of the Ohio River by the Southwest Jefferson County Flood Protection System which was completed in the late 1980's, but nearly 3,300 homes and businesses are still subject to flooding from the local streams. Approximately 3.5 square miles, over 10%, of the watershed is located within the floodplain. The Reconnaissance study would evaluate the cost effectiveness and federal interest in solutions to the flooding problems. The Louisville District of the Corps has the capability to perform this work and fully supports this initiative.

coefund2.doc

TUESDAY, MARCH 5, 1996.

KENTUCKY PROJECTS

WITNESS

HON. ED WHITFIELD, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF KENTUCKY

Mr. ROGERS. Perhaps, the Chairman needs to go to Louisville to look that project over about the first of May or so.

Mr. WARD. The first weekend is pretty open for us so we will look to see you there.

Mr. ROGERS. Mr. Whitfield.

Mr. WHITFIELD. Thank you, Mr. Chairman and members of the subcommittee on Energy and Water Development Appropriations. I am pleased to appear before you today in support of the fiscal year 1997 requests for the Civil Works Program of the U.S. Army Corps of Engineers.

I would also add, Mr. Bevill and Mr. Myers, that we will miss you here in the halls of Congress. The leadership you have provided through the years has been much appreciated. While this is my second time to testify before you, when I was with CSX Corporation I had the opportunity to meet both of you and work with you and always admired and respected your leadership, and we wish you well in future endeavors.

I want to extend special thanks to Congressman Hal Rogers who made the necessary arrangements for us to testify. It must be difficult for you all to have all these States coming in, everyone wanting projects at the same time we are trying to balance the budget and restore the financial integrity of the country. I am glad you have this chore instead of me.

The lack of an administration budget request has made it unclear as to what the overall funding requirements for the Civil Works Program of the Corps will be for fiscal year 1997. However, several projects of major importance for navigation are clearly defined in project studies and reports, and I anticipate they will be included in the President's budget.

The most vital is $3 million for the Kentucky lock addition. The Corps of Engineers feasibility study completed in 1992 determined that the current chamber at Kentucky lock is too small to handle a modern 15-barge tow and results in one of the highest transit times in the inland waterway system. Further, major maintenance on the existing lock will cause delays that could exceed 150 hours and cost up to $250 billion to the barge industry by the year 2009 and 2010 alone. Their recommendation is the addition of a new 110-foot by 1,200-foot lock. The current cost of the project is $395 million, with a benefit to cost ratio of 2.4 to 1.

The fiscal year 1994, 1995 and 1996 Energy and Water Development Appropriation Act included 2 million for design activities and geotechnical exploration itself. I cannot overstate the importance of this project to the inland waterway system from Pennsylvania all the way to the Gulf of Mexico. The fiscal year 1997 appropriation will be used to continue subsurface exploration and start the relocation design memorandum.

With regard to other fiscal year 1997 funding, it is my belief that the budget request for the Corps will also include $80 million for the Olmsted Lock and Dam Project, $500,000 for the Elvis Stahr Harbor; $2.5 million for channel improvement and maintenance on the Mississippi River, and $7 million for the Ohio River mainstream study that will focus on the Uniontown Lock and Dam.

While I don't have a clear understanding of the overall study, construction and operation and maintenance cost due to the lack of the administration budget, I do believe that the request will exceed last year's figure of $21.2 million and will include a total of 14 separateprojects, which I will not name, but they are in my testimony.

In addition to those 14 projects, I would like for the committee to consider a request that I do not believe will be included in the administration's budget. I would ask for funding for a full-scale reassessment of the condition of the Paducah, Kentucky Flood Prevention Project. The Paducah Flood Damage Prevention Project was constructed by the Corps between 1939 and 1950 and while the city has diligently operated and maintained this project, some project features are over 50 years old and reaching the end of their useful life.

Recent flooding on both the Mississippi and Ohio Rivers have reminded us of the importance of assuring that these projects continue to protect the people and property they were designed to protect. That is why I am requesting $400,000 for the Corps to complete a full condition analysis and evaluation of this project to identify whether major project components and features are capable of providing continued protection.

In closing, I would like to add my support for the budget request for the Tennessee Valley Authority and the Appalachian Regional Commission. And when I talk about TVA, I am not talking about the power side. I specifically want to take a minute to talk about the area called Land Between The Lakes, which is operated by the TVA nonpower side. That property was condemned eminent domain authority—when President Kennedy was the Chief Executive Officer. Eight hundred families in my district were forcibly removed from the property. They did not want to leave. Many resent the fact that Federal marshals handcuffed them and forcibly removed them from this property.

Each year, the amount of money for the LBL project has continued to decrease and we have 170,000 acres there, and it is much like a national forest. It is wildlife on this land. There is no commercial development on this land. I think that the fact that the Federal Government forcibly removed families from this property that the Federal Government has a responsibility to maintain it.

The LBL budget last year for this 170,000 acres was only $6 million. I would simply urge the committee as they review that this year to realize that the Federal Government has a tremendous responsibility and this is totally separate from the TVA that we normally think of.

I appreciate your consideration of that, and Mr. Chairman and members of the committee, let me thank you again for the opportunity to address the subcommittee, and I appreciate it very much.

[The statement of Mr. Whitfield follows:]

STATEMENT OF U.S. REP. ED WHITFIELD

BEFORE THE SUBCOMMITTEE ON ENERGY & WATER APPROPRIATIONS

MARCH 5, 1996

Mr. Chairman and members of the Subcommittee on Energy and Water Development Appropriations, I am pleased to appear before you today in support of the FY 1997 requests for the Civil Works Program of the U.S. Army Corps of Engineers. Although the Administration has not released the FY 1997 budget request, it is my understanding it will contain funding for a number of flood control, navigation, and multi-purpose projects throughout my District and the entire state of Kentucky.

I want to extend my special thanks to Congressman Hal Rogers, a distinguished member of the Subcommittee, who made the necessary arrangements for members of the Kentucky delegation to testify. I would also like to add a special thank you to Chairman Myers and Mr. Bevil for your leadership. Following your retirement, your expertise will be missed.

The lack of an Administration Budget request has made it unclear as to what the overall funding requirements for the Civil Works Program of the Corps will be for FY 1997. However, several projects of major importance for navigation in my District are clearly defined in project studies and reports, and I anticipate they will be included in the President's budget. The most vital is $3 million for the Kentucky Lock Addition.

The Corps of Engineers feasibility study completed in 1992 determined that the current chamber at Kentucky Lock is too small to handle a modern 15-barge tow and results in one of the highest transit times in the inland waterways. Further, major maintenance on the existing lock will cause delays that could exceed 150 hours and cost up to $250 million to the barge industry in 2009 & 2010 alone. Their recommendation is the addition of a new 110 ft. by 1200 ft. lock. The current cost of the project is $395 million with a benefit to cost ratio of 2.4 to 1. The FY94, FY95, and FY96 Energy and Water Development Appropriations Acts included $2 million for design activities and geotechnical explorations.

I cannot overstate the importance of this project to the inland waterways from Pennsylvania to the Gulf of Mexico. The FY97 appropriations will be used to continue sub-surface exploration and start the Relocation Design Memorandum.

With regard to other FY 1997 funding, it is my belief that the budget request for the Corps will include $80 million for the Olmsted Lock and Dam project; $500,000 for Elvis Stahr Harbor; $2.5 million for channel improvement and maintenance on the Mississippi River; and $7 million for the Ohio River Main Stream study that will focus on the Uniontown Lock and Dam.

I do not have a clear picture of overall Study, Construction, and Operation and Maintenance costs due to the lack of an administration budget. However, I believe the requests will exceed last year's figure of $21.2 million and will include a total of 14 projects. The projects are Barley Dam and Lake, Olmsted Lock and Dam, Cumberland River Maintenance, Tennessee River Maintenance, Kentucky Lock, Ohio River Mainstream Study, Green River Maintenance, Barren River Maintenance, Elvis Stahr Harbor, Ohio River Locks and Dams, Ohio River Channel Work, Mississippi River Levees and Channel Dredging, and Lake No. 9 Pumping Plant.

In addition to these requests, I would like for the Committee to consider a request that I do not believe will be included in the Administration's budget. I would ask for funding for a full scale reassessment of the condition of the Paducah, Kentucky flood prevention project.

The Paducah flood damage prevention project was constructed by the Corps between 1939 and 1950, and while the city has diligently operated and maintained this project, some project features are over 50 years old and reaching the end of their useful design life. Recent flooding on both the Mississippi and Ohio Rivers have reminded us of the importance of assuring that these projects continue to protect the people and property they were designed to protect.

That is why I am requesting $400,000 for the Corps to complete a full condition analysis and evaluation of this project to identify whether major project components and features are capable of providing continued protection. Both age and changed conditions will be evaluated and recommendations for costs and priorities for updating, replacing and modifying major project features and components will be provided.

In closing I would like to add my support for the budget request for the Tennessee Valley Authority and the Appalachian Regional Commission.

The TVA serves seven states, providing power, conducting environmental research, assisting in economic development, and managing water and land conservation programs. Their request for $115 million includes funds for Kentucky's largest tourist attraction -- Land Between the Lakes. The ARC request will continue to provide a multitude of services to aid some of our most distressed communities.

Mr. Chairman and members of the Committee, let me thank you again for the opportunity to address the Subcommittee.

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Mr. ROGERS. Mr. Chairman, as we close our presentation, and let me again say thank you for giving us this very valuable time of the subcommittee. We appreciate that great tradition that the committee has upheld over the years to allow us to do that.

Let me mention a couple of other things briefly. One, the Subcommittee has been very supportive of the Appalachian Regional Commission over the years and especially last year. When the going was tough and the money was extremely tight, you still found monies to help that 13-State region of poverty stricken areas to help themselves.

I know how much the folks in that region appreciate the work of you, Mr. Chairman and Mr. Bevill, and all the other members of the subcommittee for the support of that region. That is an ongoing effort and still needs our support. All of my district is in the Appalachian region, some of it worse than other parts of it. But those most distressed counties are still in desperate need of help because the State is not capable of spending the kinds of money that has to be spent to cut roads through solid rock at a 45-degree plain in rough terrain, for example, and for sewage and water lines. So we appreciate your help over the years in support of the ARC.

Finally, it is awfully hard to say good-bye to friends. I know the members of this subcommittee and the members of our delegation are personal friends, and, although we will be seeing you from time to time when your tenure here is over, it will be very difficult to not see you every day. We have grown accustomed to your faces. So we are going to miss you in your daily lives and we will miss your spouses, Carrol and Lou. We have had a lot of good times and friendships together. Those friendships I will treasure as long as I have the capability.

Mr. MYERS. Thank you.

Mr. BEVILL. If I could take 10 seconds, I want to commend Chairman Rogers for the leadership that he has exhibited as Chairman especially in the last session, and for this program. The Chairman and I just left the ARC annual meeting with the largest turnout ever, I understand. We sometimes forget what all this program has accomplished.

As you know, Congress passed it to give those Appalachian areas of the country an equal opportunity to catch up with the rest of the country on industrial development, health and education, and it is certainly doing that. For the first time in the history of ARC, we have some type of health care within 30 minutes of citizens in the area; first time in history. Over 700 industrial parks creating jobs, and we could go on and on. It is a program that has made a great difference and has helped so many people come out of poverty.

Mr. ROGERS. I know this morning at the breakfast of the annual meeting of the ARC, Chairman John Myers and Ranking Member Tom Bevill were honored by the ARC for the genuine commitment you have made over the years to this organization and the tremendous amount of help that you have made possible from the ARC. I want to add our delegation's thanks to the two of you for that work as well.

Mr. MYERS. Thank you. Thank you each for a fine presentation.

TUESDAY, MARCH 5, 1996.

TRINITY RIVER BASIN PROJECTS

WITNESSES

HON. MARTIN FROST, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS
HON. SHEILA JACKSON-LEE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS
DAVID JENKINS, PRESIDENT, BOARD OF DIRECTORS, TRINITY RIVER AUTHORITY
GARY SKAGGS, CHAIRMAN, TRINITY RIVER CORRIDOR STEERING COMMITTEE, NORTH TEXAS COUNCIL OF GOVERNMENTS
WAYNE OWEN, MANAGER, PLANNING AND DEVELOPMENT, TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1
ERNIE ZIESCHANG, PRESIDENT, PORT OF LIBERTY COMMISSION
MORRIS RICE, TRINITY RIVER IMPROVEMENT ASSOCIATION
FREDERICK A. PERRENOT, GENERAL MANAGER, PUBLIC UTILITIES, CITY OF HOUSTON
SAM SCOTT, TRINITY RIVER AUTHORITY

Mr. MYERS. Next, our colleagues Congressman Frost, Ms. Jackson-Lee with the Trinity Improvement Association. Your statements will be placed in the record and you may proceed for the next half-hour.

Mr. FROST. Thank you, Mr. Chairman. I certainly do not intend to take all that time, though the group will want to be heard. I know my colleague——

Mr. BEVILL. You won half the battle just then.

Mr. FROST. Mr. Chairman, I am pleased to appear before your subcommittee this morning with members of the Trinity Improvement Association. I have testified with them every year for the last 18 years and have monitored the progress of their projects in the north Texas area. You will be hearing from a number of the Association's representatives this morning, and I urge you to give their request full consideration.

As some of you know from previous years, I support all of the Association's water supply and flood control projects in Texas. I have particular interest in the Upper Trinity River Basin, a feasibility flood study along the Elm and West Forks of the Trinity in Tarrant and Dallas Counties.

As many of you know, spring in Texas typically brings flooding. For this reason it is extremely important to continue the funding for this study. I understand that the Corps has requested an extension of the project in order to complete studies for individual cities. I support this request and urge that adequate funding be appropriated this year. I also want to mention my support of funding for the Dallas Floodway Extension Project, which is sponsored by the City of Dallas.

In years past, I have also spoken of the Joe Pool Lake Project, a Corps of Engineers multipurpose project. The recreational component is complete, and I support the administration's request of funding, which will probably be around $800,000, for operation and maintenance of this project.

I also want to briefly mention the administration's decision to abandon its proposal to eliminate the Corps of Engineers' local projects role and focus the Corps on water projects that provide only national projects. This was a misguided proposal, and I am extremely pleased that the administration has now recognized this.

Thank you again for all your support for Texas water projects in the past, and I look forward to working with you in the future.

My colleague, Ms. Lee.

Ms. JACKSON-LEE. Thank you, Mr. Chairman and Ranking Member Bevill. Obviously my colleague and I are in tandem. He is north and I am coming now for the deep south in Texas.

Mr. MYERS. Is he a Texas Yankee?

Ms. JACKSON-LEE. He would refute that, but we are working together.

Mr. FROST. Some people refer to it as Baja Oklahoma, you know.

Ms. JACKSON-LEE. Today, we are together and simply to thank you for your long-standing support and be able to say to you that I have come to talk about this project ever since I have been in Congress, so I did it last year, and this is my second time around. And I am delighted to do so and be joined by Fred Perrenot, who is representing the City of Houston. I hope that we can gather your support for this project again, realizing the many challenges that you will face, and I am gratified for help, but also the witnesses that will appear from Texas.

The Wallisville Project is extremely important to the residents of the City of Houston and the Texas Gulf Coast area because it will help to provide quality drinking water to approximately four million people and help prevent saltwater intrusion into nearby Lake Livingston. Over the last few years, this project has received significant funding from the Federal Government, especially the U.S. Army Corps of Engineers.

In the fiscal year 1996 energy appropriations bill, the project received $5 million. The Wallisville project managers are requesting $15 million for fiscal year 1997 to help bring the project to completion. I strongly urge in these difficult times, however, the Appropriations Committee to recommend funding for this project in the amount of $15 million. The reasons are several.

One, the project has reached a critical stage and the Army Corps of Engineers estimates that delays or interruptions in completing the project will cost us $100,000 per month. I think with our own internal analysis, as we look to Reinvent Government and be fiscally responsible, this investment is well placed.

Moreover, without the saltwater barrier, the existing water supply would be exhausted by the year 2010. If there has ever been a discussion that has gathered the interest of San Antonio and Houston and parts to the east, it has been this question of drinking water. When this project is fully operational 260 million gallons of water per day would be available to various communities in Texas and to numerous municipal utilities.

The residents of the Greater Houston area support the Wallisville Project and have given considerable input over the years to satisfy any environmental concerns. Particularly Mr. Chairman, I come to you as a former city council member so I have lived with this question longer than I might want to remember, and there were considerable tensions around this issue. I am gratified to be able to say today that we have come to a point of unanimity that is striking. We have responded and worked very diligently with environmental interests, but more importantly, been able to address concerns from all of the community members and have gotten widespread support for the project.

I might add that there was concern about marine fishery and in the wisdom of the parties involved, they have set aside some 15,000 acres to preserve that. I think that is a statement and a testament to the real commitment to making this project work so that the monies will be well utilized and we won't have to worry about disagreements. We are all moving on the same page.

The local governing authorities such as the Trinity Valley Authority, the City of Houston and the Harris and Galveston County Coastal District have contributed a significant amount of local funds, 66 percent of the total amount toward the Wallisville Saltwater Barrier and Lake Livingston Reservoir Projects. This facility will help us to attract businesses and to foster economic development in the Texas Gulf Coast area.

Mr. Chairman and members, I sympathize with the difficult task that you have in determining spending priorities for the fiscal year 1997. The Wallisville Saltwater Barrier Project is critical to the Texas Gulf Coast area. There are few issues that are more central to the quality of life than clean drinking water. So I respectfully ask that you carefully review this project and recommend funding in the amount of $15 million in the fiscal year 1997 energy appropriations bill, and can assuredly say that with the vast amount of support that we now have, those dollars will be well spent and certainly will be well spread, if you will, by generating the amount of dollars well invested in water and allow us to look into the future with respect to the quality of life in that area.

I yield back any time that I might have and thank the Chairman and the committee for their time.

Mr. FROST. We have a representative, Morris Rice, from the Trinity River Improvement Association.

Mr. RICE. I will carry on, if I may, Mr. Chairman. I am Morris Rice, I am Secretary of the Trinity Improvement Association. I am serving as the spokesman who will go into more detail. Our two representatives, Mr. Frost and Ms. Lee have done an excellent job of giving us an overview.

Mr. MYERS. Your prepared statements will be placed in the record.

Mr. RICE. We will summarize what we have to say. You, like ourselves, are aware of the importance of the water resources. I won't belabor that point anymore. We support funding of projects in the Trinity River Basin at the levels which will be expressed by the Corps of Engineers for 1997. Of course we haven't seen those yet.

We urge this committee to provide the leadership that will be necessary to revise cost-sharing rules of the current Civil Works Program to realistically evaluate the benefits along with each local sponsor's ability to pay. Our testimony contains a complete list of our delegation and I would like to call on a few members to make a statement on projects in their particular area. The first is Mr. David Jenkins sitting here to my left.

Mr. JENKINS. Good morning, Mr. Chairman. I am David Jenkins. I am a rice farmer from Stowell, Texas, and I am president of the

Trinity River Authority of the State of Texas, the president of the board of directors. I will summarize what will be entered into the record.

Construction on the Wallisville Project after 18 years of delay was resumed in 1991 with an appropriation of $5 million. The Corps of Engineers was able to award the last major construction contract in December 1995. As one of the three local sponsors, TRA urges the committee to fund the Corps' spending capability for fiscal year 1997, which is estimated to be between $13 to $15 million.

The Wallisville Project will provide protection from saltwater intrusion for the rice industry in Liberty and Chambers and Harris Counties. With the completion of Wallisville, TRA and the city of Houston will also be able to complete a long-term water project that will benefit the citizens of the Lower Trinity River and the Greater Houston area. When the city of Houston and TRA contracted to construct Lake Livingston and Wallisville in 1964, the intent was for the 2 projects to function as integral units of a system of operation for the purpose of maximizing water yields. TRA and Houston have expended over $200 million to complete their part.

TRA supports the appropriations for fiscal year 1997 for operations and maintenance funds necessary to maintain operations for Federal water projects within the Trinity River Basin. The Trinity River Authority of Texas thanks the committee for the opportunity to testify for the improvements that the Federal Government has aided in watershed over the years. The Federal appropriations for water projects to the Trinity River Basin remains one of the best investments ever made. Thank you, sir.

Mr. RICE. Our next statement will be made by Gary Skaggs.

Mr. SKAGGS. I am Gary Skaggs, chairman of the Trinity River Steering Committee. At the North Central Texas Council of Governments on behalf of the nine cities, three counties and 2 special districts participating in the Upper Trinity River Feasibility Study, the Nation's largest cost-shared interjurisdictional study, I thank you for the opportunity to address the committee during your deliberations on the fiscal year 1997 Federal appropriations.

We appreciate the long-term Federal commitment demonstrated in the U.S. Army Corps of Engineers Upper Trinity River Feasibility Study appropriation since 1990. Since my full remarks have been submitted to the record I will summarize our interest for this year's consideration.

The feasibility study has projected that a model storm would cause over 22,000 homes and over 141 million square feet of commercial and industrial property to be flooded. Since the initiation of the feasibility study in 1990, the local participants, together with the Texas Water Development Board, have contributed $4 million to produce a variety of products and policies to manage and minimize flood impact and identify alternative solutions to achieve a safe, clean, natural, enjoyable and diverse river corridor.

Now, as we transition into the final implementation phase, we are seeking your fiscal year 1997 funding support of 2 projects to restore levee protection. The Dallas floodway and the Stemmons North Industrial District Measures include detailed final studies of alternatives to enlarge the river channel and modify existing levees. Included in the scope of work are recreational, environmental restoration projects. The Fort Worth floodway sumps 14 W and 15 W measures include improved sump storage and pumping facilities. In both cases local sponsors are ready to commit to cost-shared funds.

The study's executive committee has already approved and has work underway on four regional implementation work plans: Number one, the Trinity trail system; two, regulatory model, flood modeling and mapping work plans; three, CDC process implementation plans; four, regional, flood warning and emergency response work plans.

Given the positive results generated by this important regional effort thus far, the Trinity River Corridor Steering Committee requests your support of the 1.23 million appropriations for fiscal year 1997 to continue and successfully conclude the implementation phase of the feasibility study.

With this continued support, we can look forward to achieving a common vision for the Trinity River. As Mayor Kirk of Dallas suggests, over the next 20 years our investment in the Trinity River could become a regional project as significant as the DFW Airport. Thank you.

Mr. RICE. Our next speaker is Mr. Wayne Owen.

Mr. OWEN. My name is Wayne Owen and I am manager of planning and development for Tarrant County Water Control and Improvement District Number One. Our district operates the four major water supply reservoirs that supply the cities of Fort Worth, Arlington and most of Tarrant County along with portions of nine outlying counties. We also operate and maintain the Fort Worth floodway along the west and clear forks of the Trinity River through Fort Worth.

We come here today to testify in support of the $1.2 million proposed appropriation for the Fort Worth district of the Corps of Engineers related to the Upper Trinity Feasibility Study. Our district's elected board of directors has within the last month committed to jointly cosponsor with the city of Fort Worth, a detailed work program that will determine the feasibility of modifications to several key flood control structures within the Fort Worth floodway. The $410,000 scope of work will be completed over the next 14 months with the city of Fort Worth and the district sharing the $205,000 local funding requirement.

Funding for this work program is contained within the proposed $1.2 million fiscal year 1997 appropriation for the Upper Trinity. We respectfully request your support for this appropriation. It will lead toward improvements to existing flood control facilities originally developed through Federal and local participation since 1950.

Our community of Fort Worth takes considerable pride in the investment the Federal Government has made in the development of the Fort Worth floodway. The leadership in our community also recognizes the need to maintain these important flood control facilities.

It is very critical that completion of the Upper Trinity River Feasibility Study continue to be a priority funding issue for fiscal year 1997. We appreciate the consideration that this subcommittee has given this project in the past and anticipate the results of this study will impact flood control planning in one of our nation's more populated areas well into the next century.

Thank you.

Mr. RICE. Next, Ernie Zieschang.

Mr. ZIESCHANG. Mr. Chairman, members of the committee, my name is Ernie Zieschang. I am President of the Liberty Commission. Maintenance dredging of the Trinity River from our port at River Mile 45 to the open water of Trinity Bay and to the Houston ship channel is one of the highest priorities of our commission. This committee has supported our request for maintenance funding in years past, and in so doing has played an extremely positive role in sustaining the economic vitality of the lower Trinity valley.

Through the President's budget, the Galveston district of the U.S. Army Corps of Engineers will need to expend approximately $1 million for operations and maintenance activity along the Lower Trinity River. We again request your support for this appropriation.

The Wallisville Project remains a high priority of the Port of Liberty Commission. The Corps of Engineers will need about $15 million during the coming year for continued construction on this most important project. We also support the need for emergency dredging of channels at Smith Point and Devil Bayou extending into Trinity Bay and Chambers County. It will save over 200 marine-related jobs. The estimated cost of this dredging project would be $1 million. We thank you again for your consideration and look forward to your continued support of these most important Federal projects. Thank you.

Mr. RICE. Our last speaker is Mr. Fred Perrenot.

Mr. PERRENOT. Thank you. My name is Fred Perrenot and I serve as general manager of the Public Utilities Group for the City of Houston. Congresswoman Jackson-Lee has very eloquently spoken in support of the Wallisville Project, so therefore I will summarize my written statements for the committee this morning.

Mr. Chairman and Members, the citizens of the City of Houston over the last 40 years have spent about $1.8 billion of local funds to develop the water supply system for the southeast portion of Texas around Houston and Galveston County. This has been local funding and the last piece is the Wallisville Project, which we need your help with.

Without the Wallisville saltwater barrier, we will begin running short of water in our area about the year 2010. With the saltwater barrier our supplies will be extended to about the year 2030. The City of Houston entered into a contract with the Corps of Engineers to build the saltwater barrier in 1967. Construction has been started, halted to resolve environmental issues and after resolution of those issues was resumed in 1991 with funds appropriated by Congress.

The fruits of that redesign became very apparent last week when the Galveston Bay Foundation issued a resolution ending its long-time opposition to the project. So as far as we know, there is no longer organized opposition to the project.

The city would like to thank the committee for its long-term support for this essential project and the $15 million capability which we believe will be expressed by the Corps for 1997 and we are here to assure you that it remains the highest priority for the City of Houston. Thank you very much.

Mr. RICE. Just to sum up a bit here, we want to express again as we have before our appreciation for the great job that you and Ranking Member Bevill have done for us in these difficult times. It has not been an easy job. But as we stated last year, we always stand ready to bear our share of the burden that the country faces financially. We only ask that the return on investments to the Nation's economy and the soundness of Federal participation in Trinity River Basin Water Resources Projects may be taken into consideration in arriving at your decisions. Now, we understand unfortunately that three of the long-time members of this subcommittee will not be with us to look—is it four now?

Mr. MYERS. No. Three. Not that we know of. Their contracts are up this year, too.

Mr. RICE. We will genuinely miss you, Mr. Myers and Mr. Bevill and Mr. Chapman, our own representative from Texas on this subcommittee. Your able contributions to water resources development of this Nation are very much appreciated and we wish you all the best in whatever you undertake in the future.

We have a couple of minutes left and one of the members of the delegation you have not heard from Mr. Sam Scott, like me a 20-year veteran of appearing before you——

Mr. MYERS. Go ahead.

Mr. SCOTT. Thank you, Mr. Chairman. I have been part of this delegation since 1973. I wanted to close with a thank you to Mr. Chairman and, Mr. Chairman, for your efforts and tireless efforts. I had the pleasure of having you in our basin some years ago and remember that very finely. I wanted to express from the Trinity River Authority our appreciation of your time and your efforts. We will also miss, of course, Mr. Chapman for his good deeds in the Trinity Basin. We wish you the best.

[The information follows:]

SUBCOMMITTEE ON ENERGY
AND WATER DEVELOPMENT
COMMITTEE ON APPROPRIATIONS
UNITED STATES
HOUSE OF REPRESENTIVES
TRINITY IMPROVEMENT ASSOCIATION
MARCH 5, 1996

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MR. GARY SKAGGS
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NORTH TEXAS COUNCIL OF GOVERNMENTS

MR. WAYNE OWEN
MANAGER PLANNING AND DEVELOPMENT
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MR. ERNIE ZIESCHANG
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MR. FREDERICK A. PERRENOT
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SUMMARY OF REQUESTS
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SUMMARY OF REQUESTS - FY 1997
UNITED STATES HOUSE OF REPRESENTATIVES

ON BEHALF OF THE TRINITY RIVER OF TEXAS DELEGATION, THE TRINITY IMPROVEMENT ASSOCIATION RECOMMENDS THE SUPPORT OF CONGRESS FOR THE FOLLOWING PROJECTS OF THE CORPS OF ENGINEERS IN CONSIDERING THE ENERGY AND WATER DEVELOPMENT APPROPRIATION BILL FOR FY 1997.

FUNDING REQUESTS:

PROJECT

SURVEYS, ADVANCED ENGINEERING & DESIGN

DALLAS FLOODWAY EXTENSION-DALLAS, TX
UPPER TRINITY RIVER BASIN, TX

CONSTRUCTION

RAY ROBERTS LAKE, TX

OPERATIONS & MAINTENANCE

BARDWELL LAKE, TX
BENBROOK LAKE, TX
COOPER LAKE, TX
DENISON DAM, TX
GRAPEVINE LAKE, TX
JOE POOL LAKE, TX
LAVON LAKE, TX
LEWISVILLE LAKE, TX
NAVARRO MILLS LAKE, TX
RAY ROBERTS LAKE, TX
TRINITY RIVER & TRIBUTARIES
WALLISVILLE LAKE, TX

ADDITIONAL FUNDING REQUEST:

WALLISVILLE SALTWATER PROJECT, TX

IT IS REQUESTED FUNDS BE APPROPRIATED TO SUPPORT THE CORPS OF ENGINEER EXPRESSED FY 1997 CAPABILITY FOR CONTINUED WORK ON WALLISVILLE.

STATEMENT OF THE
TRINITY IMPROVEMENT ASSOCIATION
TO THE
SUBCOMMITTEE ON ENERGY & WATER DEVELOPMENT
COMMITTEE ON APPROPRIATIONS
UNITED STATES
UNITED HOUSE OF REPRESENTATIVE
MARCH 5, 1996

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

MY NAME IS PRESTON GEREN OF FORT WORTH, TEXAS, AND I AM CHAIRMAN OF THE TRINITY IMPROVEMENT ASSOCIATION. I HAVE BEEN ASKED TO SERVE AS SPOKESMAN FOR THIS DELEGATION WHICH REPRESENTS INTERESTS THROUGHOUT THE TRINITY RIVER BASIN AND THE CITY OF HOUSTON, OUTSIDE THE BASIN BUT RECEIVING WATER FROM IT.

THE DELEGATES HAVE TRAVELED TO WASHINGTON AT THEIR OWN EXPENSE, WITH THE TRINITY IMPROVEMENT ASSOCIATION SERVING AS COORDINATOR. WHILE THE GROUP IS DIVERSE GEOGRAPHICALLY, WE ARE UNITED IN PURPOSE.

YOU HAVE HEARD TESTIMONY FROM OUR CONGRESSIONAL REPRESENTATIVES CONCERNING SOME OF OUR NEEDS. WE WANT NOW TO PRESENT SPECIFIC COMMENTS AND RECOMMENDATIONS ON THE FY 1997 BUDGET PROPOSALS.

IN REGARD TO THE BUDGET FOR CIVIL WORKS FOR THE CORPS OF ENGINEERS, WE ARE TESTIFYING THIS YEAR WITHOUT THE BENEFIT OF

KNOWING DETAILS OF THE ADMINISTRATION'S REQUEST. HOWEVER, WE CONTINUE TO BELIEVE WATER IS ONE OF OUR NATION'S MOST VALUABLE RESOURCES. WATER PROJECTS CREATE THE INFRASTRUCTURE UPON WHICH OUR QUALITY OF LIFE AND ECONOMIC GROWTH DEPEND. OUR NATION CANNOT SURVIVE WITHOUT WATER, AND ECONOMIC PROSPERITY CANNOT OCCUR WITHOUT A PLENTIFUL SUPPLY. IMPROVING WATER QUALITY AND PROVIDING FLOOD CONTROL ARE ALSO INFRASTRUCTURE PROJECTS WHICH SHOULD HAVE A HIGH PRIORITY FOR FEDERAL FUNDING.

WE SUPPORT FUNDING OF PROJECTS IN THE TRINITY RIVER BASIN AT THE LEVELS OF CAPABILITY EXPRESSED BY THE U.S. ARMY CORPS OF ENGINEER'S FOR FY 1997. WE ALSO URGE THIS COMMITTEE TO PROVIDE THE LEADERSHIP NECESSARY TO REVISE THE COST SHARING RULES OF THE CURRENT CIVIL WORKS PROGRAM SO AS TO REALISTICALLY EVALUATE THE BENEFITS ALONG WITH EACH LOCAL SPONSOR'S "ABILITY TO PAY".

FINALLY, MR. CHAIRMAN, I WISH TO POINT OUR FOR THE RECORD THAT A COMPLETE LIST OF OUR DELEGATION APPEARING HERE TODAY, AND COPIES OF THE TESTIMONY TO BE GIVEN BY OUR GROUP, IS SUBMITTED TO THE COMMITTEE.

WITH THESE REMARKS, I WOULD LIKE TO CALL ON A FEW MEMBERS OF THE DELEGATION WHO WILL SPEAK BRIEFLY ON PROJECTS OF SPECIFIC CONCERN TO THEIR AREAS.

THE FIRST SPEAKER WILL BE **MR. DAVID JENKINS,** TRINITY RIVER AUTHORITY.

(MR. JENKINS MAKES HIS STATEMENT)

THE NEXT STATEMENT WILL BE BY **MR. GARY SKAGGS,** NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS.

(MR. SKAGGS MAKES HIS STATEMENT)

THE NEXT SPEAKER WILL BE **MR. WAYNE OWEN,** TARRANT COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 1.

(MR. OWEN MAKES HIS STATEMENT)

THE NEXT SPEAKER WILL BE **MR. ERNIE ZIESCHANG**, PORT OF LIBERTY COMMISSION.

(MR. ZIESCHANG MAKES HIS STATEMENT)

THE LAST STATEMENT WILL BE BY **MR. FREDERICK A. PERRENOT,** CITY OF HOUSTON.

(MR. PERRENOT MAKES HIS STATEMENT)

MR. CHAIRMAN, ON BEHALF OF THE WHOLE DELEGATION, PLEASE ACCEPT OUR APPRECIATION FOR THE EXCELLENT JOB YOU AND YOUR COMMITTEE HAVE DONE, IN THESE DIFFICULT TIMES, IN SUSTAINING SOUND WATER RESOURCE DEVELOPMENT PROGRAMS THAT HAVE PROVED THEIR

ENVIRONMENTAL AND ECONOMIC WORTH. THANK YOU FOR ALLOWING US TO APPEAR BEFORE THIS COMMITTEE. AS WE STATED LAST YEAR, WE STAND READY TO BEAR OUR FAIR SHARE OF THE BURDEN. WE ASK ONLY THAT THE RETURN ON INVESTMENTS TO THE NATION'S ECONOMY AND THE SOUNDNESS OF FEDERAL PARTICIPATION IN TRINITY RIVER BASIN WATER RESOURCES DEVELOPMENT BE TAKEN INTO CONSIDERATION IN ARRIVING AT YOUR DECISIONS.

AS ALWAYS, IT HAS BEEN A PLEASURE TO APPEAR BEFORE YOU.

STATEMENT OF THE
TRINITY RIVER AUTHORITY OF TEXAS
TO THE
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
COMMITTEE ON APPROPRIATIONS
UNITED STATES HOUSE OF REPRESENTATIVES
MARCH 5, 1996

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

MY NAME IS DAVID JENKINS, AND I SERVE AS PRESIDENT OF THE TRINITY RIVER **AUTHORITY OF TEXAS BOARD OF DIRECTORS.**

TRA SUPPORTS THE LEVEL OF CAPABILITY EXPRESSED BY THE U.S. ARMY CORPS OF ENGINEERS FOR PROJECTS LOCATED IN THE TRINITY RIVER BASIN.

WALLISVILLE SALTWATER PROJECT

CONSTRUCTION ON THE WALLISVILLE PROJECT RESUMED IN 1991, AND WITH THE FY 1996 $5 MILLION APPROPRIATED BY THIS COMMITTEE, THE CORPS OF ENGINEERS WAS ABLE TO AWARD THE LAST MAJOR CONSTRUCTION CONTRACT IN DECEMBER 1995. AS ONE OF THREE LOCAL SPONSORS, THE TRINITY RIVER AUTHORITY URGES THIS COMMITTEE TO FUND THE CORPS' SPENDING CAPABILITY FOR FY 1997 WHICH IS ESTIMATED TO BE $13 MILLION TO $15 MILLION. WE WOULD ALSO ASK THE COMMITTEE TO CONSIDER APPROPRIATING THE REMAINING FUNDS NECESSARY TO COMPLETE THE PROJECT TO ENSURE THE PROJECT'S COMPLETION IN 1998.

THE WALLISVILLE PROJECT WILL PROVIDE PROTECTION FROM SALTWATER INTRUSION FOR THE RICE INDUSTRY IN LIBERTY AND CHAMBERS COUNTIES. WITH THE COMPLETION OF WALLISVILLE, TRA AND THE CITY OF HOUSTON WILL ALSO BE ABLE TO COMPLETE A LONG-TERM WATER PROJECT THAT WILL BENEFIT THE CITIZENS OF THE LOWER TRINITY RIVER BASIN AND THE GREATER HOUSTON AREA.

WHEN THE CITY OF HOUSTON AND TRA CONTRACTED TO CONSTRUCT LAKE LIVINGSTON AND WALLISVILLE IN 1964, THE INTENT WAS FOR THE TWO PROJECTS TO OPERATE AS INTEGRAL UNITS OF A SYSTEM OPERATION FOR THE PURPOSE OF MAXIMUM WATER YIELD FOR THE LOWER TRINITY AND THE CITY OF HOUSTON. TRA AND HOUSTON HAVE EXPENDED OVER $200 MILLION TO COMPLETE THEIR PART, AND WE ALSO REMAIN COMMITTED TO FULFILLING OUR OBLIGATION UNDER THE TERMS OF THE LOCAL SPONSORS' CONTRACT EXECUTED IN 1968.

UPPER TRINITY RIVER BASIN

FLOODING AND FLOOD CONTROL HAVE RE-EMERGED AS MAJOR CONCERNS IN THE DALLAS/FORT WORTH METROPOLITAN AREA. NINE CITIES, THREE COUNTIES, TRA AND ONE OTHER SPECIAL PURPOSE DISTRICT ARE PARTICIPATING IN A FEASIBILITY STUDY WITH THE CORPS OF ENGINEERS TO ASSESS AN ARRAY OF OPTIONS RELATED TO FLOODING ISSUES.

TRA SUPPORTS THE FUNDING FOR THIS NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS SPONSORED UPPER TRINITY RIVER PROJECT AND FUNDING FOR THE DALLAS FLOODWAY EXTENSION PROJECT WHICH IS SPONSORED BY THE CITY OF DALLAS.

OPERATIONS AND MAINTENANCE FUNDS

TRA SUPPORTS APPROPRIATIONS FOR FY 1997 OPERATIONS AND MAINTENANCE FUNDS NECESSARY TO MAINTAIN OPERATIONS FOR FEDERAL WATER PROJECTS WITHIN THE TRINITY RIVER BASIN. THESE PROJECTS INCLUDE BARDWELL LAKE, NAVARRO MILLS LAKE, JOE POOL LAKE, WALLISVILLE SALTWATER PROJECT, AND THE TRINITY RIVER AND TRIBUTARIESMAINTENANCE DREDGING IN CHAMBERS AND LIBERTY COUNTIES.

CONCLUSION

THE TRINITY RIVER AUTHORITY OF TEXAS THANKS THIS COMMITTEE FOR THE OPPORTUNITY TO TESTIFY AND FOR IMPROVEMENTS THAT THE FEDERAL GOVERNMENT HAS FUNDED WITHIN OUR WATERSHED OVER THE YEARS. FEDERAL APPROPRIATIONS FOR WATER PROJECTS IN THE TRINITY RIVER BASIN REMAIN ONE OF THE BEST INVESTMENTS EVER MADE.

THANK YOU.

STATEMENT OF THE
NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS
TO THE
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
COMMITTEE ON APPROPRIATIONS
UNITED STATES HOUSE OF REPRESENTATIVES
MARCH 5, 1996

I AM GARY SKAGGS, CHAIRMAN OF THE TRINITY RIVER STEERING COMMITTEE AT THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS. ON BEHALF OF THE 9 CITIES, 3 COUNTIES, AND 2 SPECIAL DISTRICTS PARTICIPATING IN THE UPPER TRINITY RIVER FEASIBILITY STUDY, THE NATION'S LARGEST COST-SHARED INTERJURISDICTIONAL STUDY, I THANK YOU FOR THE OPPORTUNITY TO ADDRESS THE COMMITTEE DURING YOUR DELIBERATIONS ON THE FY97 FEDERAL APPROPRIATIONS. WE APPRECIATE THE LONG-TERM FEDERAL COMMITMENT DEMONSTRATED IN THE U.S. ARMY CORPS OF ENGINEERS' (USACE) **UPPER TRINITY RIVER FEASIBILITY STUDY (UTRFS)** APPROPRIATIONS SINCE 1990.

THE TRINITY RIVER IS THE COMMON THREAD CONNECTING OVER 4 MILLIONS RESIDENTS OF THE NATION'S LARGEST INLAND METROPOLITAN AREA AND IT REMAINS THE SINGLE MOST IMPORTANT RESOURCE TO THE NORTH CENTRAL TEXAS AREA. AS THE LOCAL GOVERNMENT'S REPRESENTATIVE, I AM PLEASED TO REPORT THAT THE LOCAL GOVERNMENT OFFICIALS ARE EAGER TO MOVE INTO THE NEXT CRITICAL PHASE OF THE FEASIBILITY STUDY RESULTING IN IMPLEMENTABLE PROJECTS. AS WE ENTER THIS STAGE, I WOULD LIKE TO HIGHLIGHT THE ACHIEVEMENTS OF THE STUDY FOR YOU AND OUTLINE THE REMAINING EFFORTS TO BE UNDERTAKEN WITH THIS IMPORTANT REGIONAL PROGRAM.

I. THE UPPER TRINITY RIVER FEASIBILITY STUDY HAS PROJECTED THAT A MODEL STORM WOULD CAUSE OVER 22,000 HOME AND OVER 141 MILLION SQUARE FEET OF COMMERCIAL/INDUSTRIAL PROPERTY TO BE FLOODED, WITH UNTOLD LOSS OF LIFE. THIS PAINTS A GRAPHIC PICTURE OF THE POTENTIAL CATASTROPHIC LOSSES TO FLOODING I THE DALLAS-FORT WORTH METROPLEX. THE DETAILED FLOOD ANALYSES FOR THE STANDARD PROJECT FLOOD (SPF) HAVE VALIDATED PREVIOUS PREDICTIONS OF FLOODING SEVERITY IN THE UPPER TRINITY RIVER BASIN.

THE FEASIBILITY STUDY HAS DEVELOPED MANY SOPHISTICATED COMPUTER MODELING TOOLS BASED ON NEW DETAILED TOPOGRAPHICAL AND TOPOLOGICAL MAPPING THAT NOW PROVIDE UNIQUE CAPABILITIES IN ANALYZING THE FLOODPLAIN. IN ADDITION, OUR COOPERATIVE EFFORT HAS RESULTED IN THE IMPLEMENTATION OF A UNIFORM SET OF FLOODPLAIN DEVELOPMENT CRITERIA BY THE LOCAL GOVERNMENTS ALONG THE TRINITY RIVER IN THE METROPLEX. THIS UNIFORM CRITERIA, KNOW AS THE **CORRIDOR DEVELOPMENT CERTIFICATE (CDC)** PROCESS, IS DESIGNED TO STABILIZE THE EXISTING LEVEL OF FLOOD RISK OF THE TRINITY RIVER THROUGH INNOVATIVE TECHNIQUES AND TECHNICAL CRITERIA. THE MOST UNIQUE FEATURE OF THE CDC PROCESS IS A PEER PRESSURE SYSTEM OF REGIONAL REVIEW AND COMMENT. GIVEN THE MAGNITUDE OF POTENTIAL FLOOD DAMAGES AND THE SIGNIFICANT PROGRESS ALREADY BEING MADE TOWARDS SOLUTIONS, WE ARE POISED TO EMBARK ON THE SUCCESSFUL FINAL PHASE OF THIS STUDY.

II. THE 9 CITIES, 3 COUNTIES, AND 2 SPECIAL DISTRICTS PARTICIPATING IN THIS MAJOR REGIONAL EFFORT HAVE DEMONSTRATED THEIR COMMITMENT TO THE TRINITY RIVER. TOGETHER WITH THE STATE OF TEXAS, THROUGH THE TEXAS WATER DEVELOPMENT BOARD, THEY HAVE CONTRIBUTED $4 MILLION TO THIS STUDY. THE UTRFS IS AN OUTSTANDING EXAMPLE OF A GOVERNMENTAL PARTNERSHIP THAT HAS GENERATED

POSITIVE RESULTS THE PARTICIPATING LOCAL GOVERNMENTS HAVE DEMONSTRATED THEIR SUPPORT BY CONTRIBUTING TO THE SUCCESS OF THE FEASIBILITY STUDY WITH FINANCIAL COMMITMENTS AND COOPERATIVE EFFORTS. WE ARE VERY APPRECIATIVE OF THE STATE OF TEXAS AND THE TEXAS WATER DEVELOPMENT BOARD FOR THEIR RECOGNITION OF THE IMPORTANCE OF REGIONAL PLANNING AND FLOODPLAIN MANAGEMENT. COLLECTIVELY, WE ARE COMMITTED TO INSURING THAT OUR EFFORTS GENERATE A POSITIVE RETURN ON THOSE INVESTMENTS OF TIME AND MONEY.

SINCE THE INITIATION OF THIS STUDY IN 1990, OUR COOPERATIVE EFFORTS HAVE PRODUCED MANY IMPORTANT PRODUCTS AND IMPLEMENTED SIGNIFICANT FLOODPLAIN MANAGEMENT POLICIES RESULTING IN IMPROVED FLOODPLAIN MANAGEMENT PRACTICES. THE EXECUTION OF THIS FEASIBILITY STUDY IS AN IMPORTANT COMPONENT OF NCTCOG'S COMMON VISION PROGRAM. THE COMMON VISION PROGRAM'S OBJECTIVE FOR THE TRINITY RIVER CORRIDOR IS TO ACHIEVE A SAFE, CLEAN, NATURAL, ENJOYABLE AND DIVERSE RIVER CORRIDOR. THESE OBJECTIVES ARE CONSISTENT WITH THE FEASIBILITY STUDY'S AUTHORIZATION THAT DIRECTED THE EFFORT TO FIND SOLUTIONS THAT ADDRESS FLOOD DAMAGE REDUCTION, WATER QUALITY, ENVIRONMENTAL ENHANCEMENT AND RECREATION. OVER THE LAST FIVE AND A HALF YEARS, DETAILED FLOODPLAIN MAPPING, NEW COMPUTER FLOOD DAMAGE ASSESSMENT MODELS, THE CDC PROCESS, AND THE PRELIMINARY ANALYSIS OF DIVERSE ALTERNATIVE MEASURES HAVE BEEN DEVELOPED AND PRODUCED.

III. RESTORING LEVEE PROTECTION IS THE SPECIFIC GOAL OF THIS FY97 FUNDING REQUEST. THIS FUNDING REQUEST IS FOR TWO IDENTIFIED PROJECTS WITH LOCAL SPONSORS READY TO COMMIT COST-SHARE FUNDS FOR THE NEXT STEP.

THE **DALLAS FLOODWAY AND STEMMONS NORTH INDUSTRIAL DISTRICT MEASURES** INCLUDE DETAILED FINAL STUDIES OF ALTERNATIVES TO ENLARGE THE RIVER CHANNEL AND MODIFY EXISTING LEVEES. ALSO THE SCOPE OF WORK INVOLVES A SERIES OF ON-CHANNEL AND OFF-CHANNEL LAKES (CHAIN-OF-LAKES), AND SEVERAL RECREATION AMENITIES INCLUDING:

- HIKE/BIKE TRAILS;
- CANOEING FACILITIES;
- ACTIVE AND PASSIVE (OPEN-SPACE) RECREATIONAL FACILITIES; AND
- VEGETATIVE IMPROVEMENTS (ENVIRONMENTAL RESTORATION AND ENHANCEMENTS).

POTENTIAL CONNECTIONS TO EXISTING PARK AND RECREATION LANDS AND FACILITIES WITHIN OR NEAR THE STUDY AREA WILL ALSO BE CONSIDERED.

THE **FORT WORTH FLOODWAY SUMPS 14W & 15W MEASURES** INCLUDE IMPROVED SUMP STORAGE AND PUMPING FACILITIES. THE PLANS INVESTIGATED WILL INCLUDE THE ADDITION OF MORE SLUICE GATES OR PUMPS.

IV. THE STUDY'S EXECUTIVE COMMITTEE HAS ALREADY APPROVED FOUR REGIONAL IMPLEMENTATION/WORK PLANS IDENTIFIED AS HAVING A LOCAL AND FEDERAL INTEREST. WORK IS NOW UNDERWAY ON THESE PLANS, INCLUDING:

- *TRINITY TRAILS SYSTEM* - THIS CONCEPT APPLIES TO ALL OF THE MAJOR ARMS OF THE TRINITY RIVER IN THE STUDY AREA--THE ELM FOR, MAINSTEM AND WEST FORK. THE FOCUS OF THE PLANNING EFFORT IS TO PRODUCE COORDINATED GREENWAY IMPROVEMENTS ALONG THE CORRIDOR THAT PROVIDES RECREATIONAL AND OPEN SPACE AMENITIES WHILE PROTECTING THE NATURAL VALUES AND FUNCTIONS OF THE FLOODPLAIN.

- *REGULATORY FLOOD MODELING AND MAPPING WORK PLAN* - THIS WORK PLAN HAS THE GOAL OF A COORDINATED MODELING AND MAPPING PRODUCT THAT COULD BE USED BY ALL THE FLOODPLAIN-RELATED AGENCIES. LOCAL GOVERNMENTS, THE USACE AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) WILL ALL BENEFIT FROM THIS COORDINATED MODELING. THE WORK PLAN WILL RESULT IN BETTER, MORE CONSISTENT FLOODPLAIN DECISIONS, AND A STREAMLINED DEVELOPMENT PERMITTING PROCESS.

- *CDC PROCESS IMPLEMENTATION PLAN* - THE CDC PROCESS WAS IMPLEMENTED BY THE LOCAL PARTICIPANTS TO STABILIZE EXISTING FLOOD RISKS IN THE CORRIDOR. THE INTERGOVERNMENTAL REVIEW AND INFORMATION TRACKING ELEMENTS OF THE EFFORT TO HELP DECISION-MAKERS TO MAKE THE BEST FLOODPLAIN MANAGEMENT DECISIONS POSSIBLE. THIS IMPLEMENTATION PLAN WILL ESTABLISH WAYS OF KEEPING THE CRITERIA AND PROCESS UP-TO-DATE INTO THE FUTURE.

- *REGIONAL FLOODWARNING AND EMERGENCY RESPONSE WORK PLAN* - THIS WORK PLAN IS PURSUING THE ENHANCEMENT AND COORDINATION OF EXISTING LOCAL FLOODWARNING SYSTEMS THROUGHOUT THE TRINITY RIVER CORRIDOR. FOCUSED ATTENTION TO THE OPERATION OF THESE SYSTEMS WILL PROVIDE BETTER INFORMATION TO ALL OF THE PARTICIPATING GOVERNMENTS AND PROVIDE IMPROVED EMERGENCY RESPONSE.

V. **SUMMARY** IN EACH OF THESE EFFORTS, THE GOAL IS TO PROVIDE A DESIRABLE PLAN WHICH CAN BE IMPLEMENTED, HAS FEDERAL AND NON-FEDERAL SUPPORT AND WILL PROVIDE BENEFITS AT A REASONABLE COST. REMAINING STEPS TO ACHIEVE THIS GOAL ARE:

- PHASE 1 - TECHNICAL ANALYSIS OF ALTERNATIVES;
- PHASE 2 - ECONOMIC, REAL ESTATE, ENVIRONMENTAL, AND ENGINEERING; AND
- PHASE 3 - FINAL DETERMINATION OF RECOMMENDED PLAN.

THE DIVISION OF THE STUDY INTO THE THREE PHASES IS ROOTED IN THE DESIRE TO PRODUCE A FEASIBLE SOLUTION AS QUICKLY AS POSSIBLE.

GIVEN THE POSITIVE RESULTS GENERATED BY THIS IMPORTANT REGIONAL EFFORT THUS FAR, THE TRINITY RIVER CORRIDOR STEERING COMMITTEE ENCOURAGES THE CONTINUATION OF FEDERAL FUNDS FOR THE CONCLUDING PIECES OF THE FEASIBILITY STUDY. SIGNIFICANT LOCAL, STATE AND FEDERAL GOVERNMENTAL INVESTMENT HAS BEEN MADE INTO THIS STUDY WHICH SHOULD BE CONTINUED THROUGH THE PROJECT IMPLEMENTATION PHASES. WE URGE CONGRESS TO CONTINUE TO FUND COST-SHARED PROJECTS WITHIN MAJOR URBAN AREAS FOR IMPLEMENTATION. SPECIFICALLY, WE REQUEST YOUR SUPPORT OF THE $1.23 MILLION APPROPRIATIONS FOR FY97 TO CONTINUE THE UPPER TRINITY RIVER FEASIBILITY STUDY AS WE PURSUE THE IMPORTANT DALLAS AND FORT WORTH FLOODWAY PROJECTS AND OTHER MULTI-PURPOSE PROJECTS IN THE DALLAS-FORT WORTH AREA.

AS COSPONSORS OF THE NATION'S LARGEST INTERJURISDICTIONAL EFFORT OF MULTIPLE OBJECTIVE FLOODPLAIN MANAGEMENT, WE ARE PLEASED TO BE ABLE TO REPORT OUR COOPERATIVE SUCCESSES AS WE NEAR THE COMPLETION OF STUDY. WITH THIS RECORD AND CONTINUED FEDERAL PARTICIPATION, WE CAN LOOK FORWARD WITH OPTIMISM TOWARD ACHIEVING A "COMMON VISION" FOR THE TRINITY RIVER. AS MAYOR KIRK OF DALLAS SUGGESTS, OVER THE NEXT TWENTY YEARS, OUR INVESTMENT IN THE TRINITY RIVER COULD BECOME A REGIONAL PROJECT AS SIGNIFICANT AS THE D/FW AIRPORT.

THANK YOU

STATEMENT OF THE
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1
TO THE
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
COMMITTEE ON APPROPRIATIONS
UNITED STATES HOUSE OF REPRESENTATIVES
MARCH 5, 1996

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

MY NAME IS WAYNE OWEN AND I AM MANAGER OF PLANNING & DEVELOPMENT FOR TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE. OUR DISTRICT OPERATES THE FOUR MAJOR WATER SUPPLY RESERVOIRS THAT SUPPLY THE CITIES OF FORT WORTH, ARLINGTON, AND MOST OF TARRANT COUNTY ALONG WITH PORTIONS OF NINE OUTLYING COUNTIES. WE ALSO OPERATE AND MAINTAIN THE FORT WORTH FLOODWAY ALONG THE WEST AND CLEAR FORKS OF THE TRINITY RIVER THROUGH FORT WORTH.

WE COME HERE TODAY TO TESTIFY IN SUPPORT OF THE $1.2 MILLION PROPOSED APPROPRIATION FOR THE FORT WORTH DISTRICT OF THE CORPS OF ENGINEERS RELATED TO THE UPPER TRINITY FEASIBILITY STUDY. THE STUDY HAS EVALUATED SEVERAL STRUCTURAL FLOOD CONTROL ALTERNATIVES RELATED TO THE FORT WORTH FLOODWAY.

OUR DISTRICT'S ELECTED BOARD OF DIRECTORS HAS WITHIN THE LAST MONTH COMMITTED TO JOINTLY CO-SPONSOR, WITH THE CITY OF FORT WORTH, A DETAILED WORK PROGRAM THAT WILL DETERMINE THE FEASIBILITY OF MODIFICATIONS TO SEVERAL KEY FLOOD CONTROL STRUCTURES WITHIN THE FORT WORTH FLOODWAY. THE $410,000 SCOPE OF WORK WILL BE COMPLETED OVER THE NEXT 14 MONTHS WITH THE CITY OF FORT WORTH AND THE DISTRICT SHARING THE $205,000 LOCAL FUNDING REQUIREMENT.

FUNDING FOR THIS WORK PROGRAM IS CONTAINED WITHIN THE PROPOSED $1.2 MILLION FY 1997 APPROPRIATION FOR THE UPPER TRINITY. WE

RESPECTFULLY REQUEST YOUR SUPPORT FOR THIS APPROPRIATION. IT WILL LEAD TOWARD IMPROVEMENTS TO EXISTING FLOOD CONTROL FACILITIES ORIGINALLY DEVELOPED THROUGH FEDERAL AND LOCAL PARTICIPATION SINCE 1950.

OUR COMMUNITY of Ft. Worth TAKES CONSIDERABLE PRIDE IN THE INVESTMENT THE FEDERAL GOVERNMENT HAS MADE IN THE DEVELOPMENT OF THE FORT WORTH FLOODWAY. THE LEADERSHIP IN OUR COMMUNITY ALSO RECOGNIZES THE NEED TO MAINTAIN THESE IMPORTANT FLOOD CONTROL FACILITIES.

IT IS VERY CRITICAL THAT COMPLETION OF THE UPPER TRINITY RIVER FEASIBILITY STUDY CONTINUE TO BE A PRIORITY FUNDING ISSUE FOR FISCAL YEAR 1997. WE APPRECIATE THE CONSIDERATION THAT THIS SUBCOMMITTEE HAS GIVEN THIS PROJECT IN THE PAST AND ANTICIPATE THE RESULTS OF THIS STUDY WILL IMPACT FLOOD CONTROL PLANNING IN ONE OF OUR NATIONS MORE POPULATED AREAS WELL INTO THE NEXT CENTURY. (1)

THANK YOU.

STATEMENT OF THE
PORT OF LIBERTY
TO THE
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
COMMITTEE ON APPROPRIATIONS
UNITED STATES HOUSE OF REPRESENTATIVES
MARCH 5, 1996

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

MY NAME IS ERNIE ZIESCHANG AND I AM TESTIFYING TODAY AS PRESIDENT OF THE PORT OF LIBERTY COMMISSION.

MAINTENANCE DREDGING OF THE TRINITY RIVER FROM OUR PORT AT RIVER MILE 45 TO THE OPEN WATER OF TRINITY BAY AND THE HOUSTON SHIP CHANNEL IS ONE OF THE HIGHEST PRIORITIES OF OUR COMMISSION. THIS COMMITTEE HAS SUPPORTED OUR REQUESTS FOR MAINTENANCE FUNDING YEARS PAST, AND IN SO DOING HAS PLAYED AN EXTREMELY POSITIVE ROLE IN SUSTAINING THE ECONOMIC VITALITY OF THE LOWER TRINITY RIVER VALLEY.

THROUGH THE PRESIDENT'S BUDGET THE GALVESTON DISTRICT OF THE U.S. ARMY CORPS OF ENGINEERS WILL NEED TO EXPEND APPROXIMATELY ONE MILLION DOLLARS FOR OPERATIONS AND MAINTENANCE ACTIVITY ALONG THE LOWER TRINITY RIVER. WE AGAIN
REQUEST YOUR SUPPORT FOR THIS APPROPRIATION.

THE WALLISVILLE PROJECT REMAINS A HIGH PRIORITY OF THE PORT OF LIBERTY COMMISSION. THE CORPS OF ENGINEERS WILL NEED ABOUT $13 TO $15 MILLION DOLLARS DURING THE COMING YEAR FOR CONTINUED CONSTRUCTION ON THIS MOST IMPORTANT PROJECT.

THANK YOU AGAIN FOR YOUR CONSIDERATION AND WE LOOK FORWARD TO YOUR CONTINUING SUPPORT FOR THESE MOST IMPORTANT FEDERAL WATER PROJECTS.

STATEMENT OF THE
CITY OF HOUSTON
TO THE
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
COMMITTEE ON APPROPRIATIONS
UNITED STATES HOUSE OF REPRESENTATIVES
MARCH 5, 1996

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

MY NAME IS FREDERICK A. PERRENOT AND I SERVE AS GENERAL MANAGER OF THE HOUSTON PUBLIC UTILITIES. I AM HERE TODAY TO ASK FOR THIS COMMITTEE'S CONTINUED SUPPORT FOR THE WALLISVILLE PROJECT AND TO DISCUSS ITS IMPORTANCE TO THE OVERALL WATER SUPPLY PLAN FOR THE GREATER HOUSTON AREA.

BY DEVELOPING THREE MAJOR RESERVOIRS, A RAW SURFACE WATER CONVEYANCE - DISTRIBUTION SYSTEM, AND A WATER TREATMENT - DISTRIBUTION SYSTEM, THE CITY OF HOUSTON HAS BECOME THE REGIONAL SUPPLIER OF FRESH WATER FOR THE FOUR MILLION RESIDENTS OF THE HOUSTON-GALVESTON AREA. AT A COST OF ABOUT $1.8 BILLION, THE DEVELOPMENT OF ALL OF THESE FACILITIES HAS BEEN VERY EXPENSIVE FOR THE CITY'S RATEPAYERS AND OUTSIDE CUSTOMERS. HOWEVER, IT HAS BEEN NECESSARY IN ORDER TO MAINTAIN THE CONTINUING, ECONOMICAL SUPPLY OF DRINKING WATER, TO PREVENT SALTWATER INTRUSION INTO THE TRINITY RIVER, AND TO ELIMINATE THE DEVASTATING PROBLEM OF LAND SUBSIDENCE WHICH HAS REACHED LEVELS OF MORE THAN 10 FEET IN SOME AREAS OF THE CITY.

THE WALLISVILLE PROJECT IS AN ESSENTIAL PART OF THIS RESERVOIR SUPPLY SYSTEM. IT WAS PLANNED AND DEVELOPED TO ALLOW THE FULL UTILIZATION OF DRINKING WATER STORED IN LAKE LIVINGSTON BY ELIMINATING THE NEED FOR RELEASES FROM THAT RESERVOIR TO PREVENT SALTWATER FROM INTRUDING UP THE RIVER AND CONTAMINATING WATER SUPPLY INTAKES. THE CITY FIRST ENTERED INTO A CONTRACT WITH THE CORPS OF ENGINEERS

(CORPS) TO BUILD THE BARRIER IN 1967. CONSTRUCTION HAS BEEN STARTED, HALTED TO RESOLVE ENVIRONMENTAL ISSUES, AND AFTER RESOLUTION OF THOSE ISSUES, WAS RESUMED IN 1991 WITH FUNDS APPROPRIATED BY CONGRESS. USING THE $5 MILLION APPROPRIATED BY CONGRESS FOR FISCAL YEAR (FY) 1996, THE CORPS AWARDED THE FINAL CONSTRUCTION CONTRACT FOR THE SALTWATER BARRIER. THE CITY IS COMMITTED TO FULFILLING ITS OBLIGATIONS UNDER THE TERMS OF THE CONTRACT AND SUPPORTS THE CORPS EXPRESSED CAPABILITY REQUEST WHICH IS ANTICIPATED TO BE ABOUT $15 MILLION FOR FY 1997. WE EXPECT THAT A $15 MILLION APPROPRIATION, COMBINED WITH AN ADDITIONAL SMALLER APPROPRIATION IN FY 1998, WILL BE SUFFICIENT TO MAKE THE BARRIER OPERATIONAL.

AS RESPONSIBLE MANAGERS, THE CITY IS ALSO PROCEEDING WITH MAJOR STUDIES TO EVALUATE AND ENHANCE PROGRAMS IN THE AREAS OF WATER CONSERVATION, RESERVOIR SYSTEM OPERATION, WASTE WATER REUSE, AND OTHER METHODS TO EFFECTIVELY AND EFFICIENTLY MANAGE EXISTING WATER SUPPLIES. HOWEVER, EVEN WITH THESE PROGRAMS, IT IS PROJECTED THAT WATER DEMANDS WILL EXCEED THE EXISTING AVAILABLE WATER SUPPLIES BY THE YEAR 2010. WITH AN OPERATIONAL WALLISVILLE PROJECT, THE ADDITIONAL DRINKING WATER SUPPLIES IN THE LAKE LIVINGSTON RESERVOIR WILL BE AVAILABLE TO SERVE THE AREA AND WILL MEET EXPECTED DEMAND UNTIL ABOUT 2030.

THE CITY WOULD LIKE TO THANK THIS COMMITTEE FOR ITS LONG TERM SUPPORT FOR THIS ESSENTIAL PROJECT AND TO ASSURE YOU THAT IT REMAINS A HIGH PRIORITY IN OUR CONTINUING EFFORTS TO MEET OUR RESPONSIBILITIES AS THE REGIONAL SURFACE WATER SUPPLIER.

TRINITY IMPROVEMENT ASSOCIATION
1996 CONGRESSIONAL HEARINGS
DELEGATE NAMES AND ADDRESSES
UNITED STATES HOUSE OF REPRESENTATIVES

Trinity Improvement Association:

Mr. Preston Geren
Chairman
Trinity Improvement Association
4200 South Hulen, Suite 619
Fort Worth, TX 76109

Mr. Charles Lively
Executive Vice President
Trinity Improvement Association
660 South Zang Blvd.
Dallas, TX 75208

Mr. I. M. Rice
Immediate Past Exec. Vice President
Trinity Improvement Association
660 South Zang Blvd.
Dallas, TX 75208

Trinity River Authority of Texas:

Mr. David Jenkins
President
Trinity River Authority
P. O. Box 60
Arlington, TX 76004

Mr.J. Sam Scott
Executive Services Manager
Trinity River Authority
P. O. Box 60
Arlington, TX 76004

Port of Liberty Commission:

Mr. John Hebert, Commissioner
Port of Liberty Commission
P. O. Box 876
Liberty, TX 77575

Mr. Ernie Zieschang, Commissioner
Port of Liberty Commission
P. O. Box 3007
Liberty, TX 77575

Mr. Jeff Winter
Director
Port of Liberty Commission
P. O. Box 3007
Liberty, TX 77575

Tarrant County Water Control & Improvement District No. 1:

Mr. Wayne Owen
Manager of Planning & Development
Tarrant County WC & ID No. 1
P. O. Box 4508
Fort Worth, TX 76164-0508

North Central Teas Council of Governments:

Mr. Gary Skaggs
Chairman, Trinity River Corridor
Steering Committee
North Central Texas COG
P. O. Box 5888
Arlington, TX 76005-5888

Mr. John Promise
Director, Environmental Resources
NCTCOG
P. O. Box 5888
Arlington, TX 76005-5888

City of Houston:

Mr. Frederick A. Perrenot
General Manager of Public
Utilities
City of Houston
P. O. Box 1562
Houston, TX 77251

Mr. MYERS. Thank you very much. Mr. Chapman has expressed his disappointment he couldn't be here today, but he had another schedule he had to keep.

Our colleague from Texas, Mr. Wilson, also has a statement that will be placed in the record.

[The statement of the Honorable Charles Wilson follows:]

March 5, 1996

STATEMENT

By U.S. Representative Charles Wilson of Texas

before the Energy and Water Development Appropriations Subcommittee.

Thank you, Mr. Chairman, for the opportunity to testify regarding Water Resource Projects in the State of Texas, particularly those in or affecting the Second Congressional District, which I represent.

Mr. Chairman, Congress Appropriated $5 million in Fiscal Year 1996 for the continuation of the Wallisville Saltwater Project. Construction is progressing on this important project in which the City of Houston, the Chambers-Liberty Counties Navigation District, and the Trinity River Authority serve as local sponsors. I have been given no indication whether the President has included any funds for the Wallisville Saltwater Project in his proposed Budget for Fiscal Year 1997, and I strongly urge the Subcommittee to provide the necessary spending capability to the Corps of Engineers for this purpose.

Finally, Mr. Chairman, I would also like to recommend that the Subcommittee support the appropriate spending capability for the Corps of Engineers for continued operations and maintenance dredging of the Trinity River to Liberty, Texas.

Mr. MYERS. Thank you. We will miss you, too. Thank you.

TUESDAY, MARCH 5, 1996.

GULF INTERCOASTAL WATERWAY

WITNESS

DOUG SVENDSON, JR., EXECUTIVE DIRECTOR, GULF INTRACOASTAL CANAL ASSOCIATION

Mr. MYERS. We are 3 or 4 minutes ahead of time, but we will be pleased at this time to hear Mr. Doug Svendson, who is Executive Director of the Gulf Intracoastal Canal Association.

Your prepared statement will be placed in the record, and you may proceed in the next 5 minutes as you like.

Mr. SVENDSON. I understand that, Mr. Chairman.

Thank you very much and good morning.

I am Doug Svendson, executive director of the Gulf Intracoastal Canal Association. We are based in Lafayette, Louisiana, and I think since you said my testimony will be placed in the area, there are just a couple of areas I would like to highlight for the committee.

I place—in addition to emphasis on certain of the projects that we endorse on the first page of my testimony, I place a great deal of emphasis on operations and maintenance, that particular program of the U.S. Army Corps of Engineers, because we believe that to some extent we have a mature inland waterway system.

There will still be a necessity to construct some projects in the next 10 to 15 years, but for the time being, and in particular because of budget constraints, we feel that it is extremely important that sufficient funding be made available through the operations and maintenance accounts so that we can keep intact the system that we already have to date.

The big advantage that our commodities producers in this country have over their foreign competition has historically been the transportation and distribution system and the efficiency that it affords our producers and our manufacturers. And we believe that, as I just said, as the Congress faces budget constraints in the future, everything should be done that is possible to do in order to provide funds to keep that system operating in an efficient manner.

There are a couple of characteristics about the Gulf Intracoastal Waterway that I would like to bring to the committee's attention just to make the point about the importance of operations and maintenance funds. It is an 11,050 mile long waterway that stretches from the bend in the Florida Coast all the way around the Gulf Coast to Brownsville, Texas, on the Rio Grande. Incidentally, we also believe in the coming years it is very likely that that end of the waterway will see even more traffic and more development under the trade agreement that we have with the government of Mexico.

Because the waterway traverses the coastlines of these five States and is constantly subject to tidal influence there is a great deal of shoaling that takes place. That requires maintenance dredging, and it is important to keep the channel at its authorized depth throughout the entire length.

In addition, in the New Orleans district, there is a constant competition, if you put it that way, between navigation and flood control—which Mr. Myers, I am sure, you are familiar with—and we spent a lot of time working with the New Orleans district to make certain that navigation and flood control are compatible because flood waters from something like 32 States of the lower 48 must cross the GIWW on the way to the Gulf of Mexico. That also raises a significance of maintenance dredging.

Mr. Chairman, that is a summary of my statement. I very much appreciate the opportunity to be here.

I have only had the opportunity this year and last year to testify before this committee, but I have known you and Mr. Bevill for years before that, along with Mr. Chapman, and I and my association both wish both of you very well in the future.

Mr. MYERS. Thank you very much. Thank you for your fine testimony.

[The statement of Mr. Svendson follows:]

GARY P LaGRANGE
President & Chairman
cutive Committee
Louisiana

MUNSON SMITH
President Elect
Victoria Texas

J MERRICK JONES JR
Vice Chairman of the Board
New Orleans Louisiana

HOMER B HIRT JR
Secretary
Sneads Florida

LEROY GOODSON
Treasurer
Austin Texas

H R Rudy ETHEREDGE
Vice President for Florida
Panama City Florida

JOHN A MIXON
Vice President for Alabama
Chicasaw Alabama

DONALD G WALDON
Vice President for Mississippi
Columbus Mississippi

DAVID A WAGNER
Vice President for Louisiana
New Orleans Louisiana

RAYMOND BUTLER
Vice President for Texas
Houston Texas

GICA
GULF INTRACOASTAL
CANAL ASSOCIATION

Organized At Victoria, Texas - August 8, 1905

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DOUGLASS W SVENDSON, JR
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Port Lavaca Texas

R H "Bob" PARKER JR
Houston Texas

VERNON BEHRHORST
Lafayette Louisiana

BEFORE THE U.S. HOUSE OF REPRESENTATIVES, COMMITTEE ON APPROPRIATIONS, SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT, TESTIMONY OF THE GULF INTRACOASTAL CANAL ASSOCIATION

GICA
Doug W. Svendson, Jr.
Executive Director
P.O. Box 44050
Lafayette, Louisiana 70504
March 5, 1996

Mr. Chairman and members of the Subcommittee, I am Doug Svendson, Executive Director of the Gulf Intracoastal Canal Association. GICA is the oldest continuously operating waterway organization in the country. The waterway carries 117 million tons of freight annually, which places us third in volume behind the Mississippi and Ohio rivers.

Our Association endorses and strongly supports the work of the Army corps of Engineers in its on going operations and maintenance program. Adequately funded, this program is absolutely critical to safe and efficient operations along the Gulf Intracoastal Waterway and, in fact, the entire inland and coastal waterways system. We support the maximum this Committee is able to appropriate for this purpose. See additional discussion under Operations and Maintenance, page 2.

GICA supports an add-on for operations and maintenance funds for the Mobile District due to costs incurred following Hurricane Opal. The Mobile District had to spend additional funds in clean up activities, which resulted in the transfer of money from other areas of the District's budget.

GICA also requests reservation of the right to amend our testimony, in writing, once precise details of the Civil Works program budget are made available by the Administration later this month.

GICA also supports funding at the Corps' full capability for continuation of the project to enlarge the Victoria, Texas, Channel to make it's dimensions compatible with those on the Gulf Intracoastal Waterway.

GICA supports funding for the beach erosion control project at Sargent, Texas, at the Corps' full capability.

GICA supports continuing appropriations for the Industrial Canal Lock at New Orleans, Louisiana. The present lock is located at the junction of the Mississippi River and the Gulf Intracoastal Waterway. Future traffic growth and the importance of the lock to the regional and national economy justify it's replacement.

GICA also supports continuing appropriations for the Intracoastal Waterway Locks, Louisiana study, which includes all the locks on the Gulf Intracoastal Waterway in Louisiana west of the Mississippi River. The study is evaluating which improvements will maximize efficiency of the Gulf Intracoastal Waterway and it's connections with the Mississippi River while minimizing costs.

Last year the House Appropriations Committee deleted funding for one Section 216 study of the Gulf Intracoastal Waterway from Corpus Christi to Port O'Connor. We hope that precedent will not be repeated in this year's bill with respect to other Section 216 studies which are used to evaluate changes in the Gulf Intracoastal Waterway that have occurred since the project's completion.

The Galveston District is presently reviewing serious navigation problems at the point at which the Colorado River crosses the Gulf Intracoastal Waterway. Included in this Section 216 study, Brazos River to Port O'Connor, are methods to mitigate tidal currents which affect control of tows between the pontoon bridge and lock entrance, as well as river currents that affect proper alignment of a tow with locks on the west side of the Colorado River.

This section 216 study will determine the best means to correct serious navigation problems which resulted from earlier efforts to increase the flow of fresh water into Matagorda Bay. We hope that funds for this project will not be delayed.

OPERATIONS AND MAINTENANCE

Shallow draft water transportation is no longer principally concerned with moving low value, non-time sensitive commodities. It's focus today is on close coordination between carrier and shipper in a physically and environmentally safe operating environment in which on time and just in time deliveries are crucial to manufacturing and distribution. For this total logistics system to work, especially on the Gulf Intracoastal Waterway and our connecting waterways, a well maintained, safe, and efficient waterway is required.

We do not know what President Clinton's budget will recommend for fiscal year 1997, but there has been industry speculation that a 15% reduction in operations and maintenance funding is planned. This is a major reduction in readiness and efficiency, especially coming on top of earlier cutbacks through the Corps restructuring program. When this Subcommittee has the benefit of a sufficiently detailed Clinton Administration budget for Fiscal year 1997, we strongly recommend you carefully evaluate any cuts in the O & M allowance that will make more difficult the task of insuring physical and environmental safety and overall system efficiency.

As is the case with most of our waterways, the Gulf Intracoastal Waterway contains a mixture of old and newer locks and floodgates. In keeping with priorities that must be established due to budget constraints, the industry knows that unlimited construction programs are not feasible into the future. It is a given that the more you construct the more you must operate and maintain, at increasingly heavy costs.

GICA, therefore, espouses a rational water development program to preserve and constantly upgrade the system we have. Timeliness is of vital concern to our shippers. Safety, both physical and environmental, is equally important to both carriers and shippers. To constantly maintain this objective requires a system wide commitment of financial resources.

Even in very difficult budget times, the overall return will be worth the O & M expenditures. If the commitment is made we will avoid the risk of loss of foreign markets to other nation's agricultural, chemical, and petroleum commodities producers, and we will minimize our own transportation costs by avoiding accidents and environmental damage. Ultimately, if not properly maintained the system will not be able to operate.

OPERATIONS AND MAINTENANCE, AND ENVIRONMENTAL RESTORATION

Other responsibilities of the Corps, such as environmental restoration, can have severe impacts on overall system maintenance. I bring this to the Committee's attention because O & M funds have been used, and may be used again, to protect habitat of endangered species, to combat coastal erosion, and to use dredged material in a beneficial manner.

In our industry, there is a general expectation, as already noted, of shrinking financial resources for the Civil Works program. As this occurs, everyone is going to have to realize that belt tightening squeezes all interests, across the board. We do not believe it is fair, or good polity, for expensive environmental restoration projects to have unlimited access to O&M funds at the same time that navigation expenditures are being limited.

Everyone I know both within and outside our industry supports measures to protect and enhance the environment. Quite often, however, these measures are costly and for the future must be brought within overall budget constraints.

That concludes our statement Mr. Chairman, and on behalf of the Gulf Intracoastal Canal Association I appreciate the opportunity to share our views with this distinguished Committee.

TUESDAY, MARCH 5, 1996.

ARKANSAS RIVER BASIN PROJECTS

WITNESSES

HON. TIM HUTCHINSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARKANSAS

WALLACE A. GIERINGER, CHAIRMAN, ARKANSAS RIVER BASIN INTERSTATE COMMITTEE

Mr. MYERS. Tim, are you ready to come forward with your Arkansas River Basin Interstate Committee?

Mr. HUTCHINSON. I am.

Mr. MYERS. We will recognize you for the next 15 minutes.

Your prepared statement, as usual, will be placed in the record, and you may proceed as you like.

Mr. HUTCHINSON. Mr. Chairman, Mr. Bevill, it is so good to be before you again today. I appreciate the opportunity to appear before your committee today on behalf of the Arkansas River Basin Interstate Committee.

And I want to thank you for not only the reception but for the strong support that you have given this group in years past. I know the group looks forward to this annual trip to Washington to update you on the progress of their work and to solicit your continued support.

Shortly, you will hear testimony from Mr. Wally Gieringer, Chairman of the Arkansas River Basin Interstate Committee, who joins me here at the table and who will testify on behalf of the five member States. Representatives from the member States will also be entering remarks for the record.

I know you are quite familiar, as we get here every year, with the Montgomery Point Lock and Dam as well as the entire McClellan-Kerr Arkansas River Navigation System. This particular project is absolutely essential to the continued viability of this very important part of the national transportation system. I think to lose that viability for the McClellan-Kerr system would be a tremendous loss of investment and would truly be a national tragedy.

Your committee has appropriated funds for this ongoing project over the last 6 years. This year, the interstate committee is requesting $16 million for use in fiscal year 1997 for this urgently needed facility.

This figure is from the Corps of Engineers' approved schedule of construction funding for fiscal year 1997, and I want to strongly add my voice of support for their request. I would point out that the McClellan-Kerr system is not only vital to the State of Arkansas but benefits many of the surrounding States as well.

I think it is essential from an environmental standpoint, as well as from an economic standpoint, that we see this lock and dam constructed. Though it is expensive in the next few years, in the long-run it will save the American taxpayer enormously when the project is eventually completed.

So in closing, Mr. Chairman, I want to thank you again for your past support.

Mr. Gieringer knows far more about this and can give you a much more comprehensive overview.

Thank you for the opportunity to appear before you.

I would now like to turn it over to Mr. Gieringer.

Mr. GIERINGER. Congressman, thank you very much.

We appreciate your complete support. Gentlemen, it is a pleasure to be with you again.

We are here being appointed by the Governors of the States of Arkansas, Colorado, Kansas, Missouri and Oklahoma, as the Arkansas River Basin Interstate Committee. As chairman, I speak for the committee and respectfully request that copies of each State's individual statements be made a part of the record along with this testimony. We collectively have the responsibility to coordinate water resource matters among the States we serve and to speak for the Arkansas River Basin appearances before committees of Congress.

Today, members of our committee and others from our States are present in support of this request. With your permission, I would ask them to raise so they can be recognized.

Mr. KNOLLENBERG. So ordered.

Mr. BEVILL. We are pleased to have each of you here, especially you, Tim, our good colleague.

Mr. GIERINGER. Thank you very much.

You might ask, how has the Arkansas River Navigation System fared? Well, the Institute for Water Resources evaluated the McClellan-Kerr and asked that and other questions. They were: Did the project work?

Their response was, yes.

Did the benefits exceed costs?

Yes.

Is it the best thing since sliced bread?

Perhaps.

Did the rest of the United States lose while the river corridor gained?

No.

What about the environment?

Improved.

The institute reported the McClellan-Kerr project affects all regions of the Nation due to trade and production interrelationships. Almost as many jobs are created in areas outside the river corridor counties as in Arkansas and Oklahoma and in the 48 remaining mainland States, as in the corridor. Truly, the investment is of national importance with benefits flowing throughout the Nation.

Today, the McClellan-Kerr continues to be a success story. The $1.4 billion Federal investment triggered an additional $3.5 billion in private and public investments, some 53,000 jobs and trading partners have been created in 43 countries on 6 continents. 1995 was another record year for tonnage for the river. That is the good news.

Our five States and the Nation can be justifiably proud of the navigation system. We are forever grateful to this important committee, the work that you have undertaken to make this success story a reality.

The bad news is, the viability of the entire system, the investments, the jobs, the international trade, are at risk. They are threatened and will continue to be threatened until Montgomery

Point Lock and Dam is constructed a half a mile from the confluence of the entrance channel and the Mississippi River.

Let me explain; the water level of the Mississippi River controls the level of the water for the entrance channel. This is the first 10 miles of the navigation system. In recent years, the surface of the Mississippi has dropped, resulting in navigation restrictions and occasional closing of the entrance channel.

The Corps of Engineers has already found it necessary to dredge to the depth of the concrete sill of Norell Lock and Dam, which is 10 miles upstream, just to maintain a 9-foot channel. The lowering of the water level of the Mississippi is projected by the Corps to continue. With projected water stages, the navigable depth of the entrance channel will become less and less. The carrying capacity for barges going to and from the system will be drastically reduced.

By 2030, not even empty tows will be able to enter or leave the system. They will be resting on the bottom with no water.

The entire system remains at risk until Montgomery Point is completed. Meanwhile, the investments, the jobs and the growing exports are endangered. The needed lock and dam was in the original McClellan-Kerr Arkansas River Navigation System Project. Because of congressional insistence, the construction authority remains open. We are thankful that Congress in Public Law 102–580 directed that the Secretary, quote, "shall proceed expeditiously with design, land acquisition and construction of Montgomery Point Lock and Dam on the White River, Arkansas, authorized as part of the McClellan-Kerr Waterway."

Mr. Chairman, we are also grateful that you and your associates, the Congress and the administration have recognized the urgency of constructing Montgomery Point. Appropriations of $18.6 million have been made to date for engineering, site acquisition and construction of this $163 million project. That is using 1993 dollars, which is the only report that we have.

It is scheduled for completion in 2003. Yet, time is of the essence. And additional congressional action is needed and we implore you this year; please prevent a crisis for the McClellan-Kerr and the multistate region that it serves. We respectfully request and urge the Congress to appropriate $16 million for fiscal year 1997 to continue construction for this urgently needed facility.

This rounded amount is from the Corps of Engineers' approved schedule of construction funding for fiscal year 1997. This funding will ensure that the urgently needed facility is in operation as soon as possible at the lowest possible cost.

We also respectfully request, Mr. Chairman, that you and the members of your staff review and respond in a favorable way, positive way, to the attached individual statements from our respective States. These set forth specific requests pertaining to those States.

We sincerely appreciate your consideration, your assistance. We thank you for your foresight, your wisdom, resourcefulness, that you and your colleagues demonstrate each and every year in providing solutions to our Nation's water resource problems.

Mr. Myers, and Mr. Bevill, this is our last chance to appear before you and we hold you both in the greatest esteem and wish you everything best for you and for your families.

[The statement of Mr. Gieringer follows:]

WITNESS LIST
ARKANSAS RIVER BASIN INTERSTATE COMMITTEE
March 5, 1996

ARKANSAS

Wallace A. Gieringer
Chairman - Arkansas River Basin Interstate Committee

Charles D. Maynard
U.S. Army, retired - Vice Chairman - Arkansas Basin Association

Scott McGeorge
Chairman - The Coalition for Montgomery Point Lock and Dam

Tom Moore
Executive Director - Little Rock Port Authority

Paul Revis
Executive Director - Arkansas Waterways Commission

COLORADO

Steve Arveschoug
General Manager - Southeast Colorado Water Conservancy District

KANSAS

Gerald H. Holman
Senior Vice President - Wichita Area Chamber of Commerce

Arthur T. Woodman
Woodman Architects

OKLAHOMA

Dick Barsness
Terminal Manager - Catoosa Fertilizer

Glen L. Cheatham, Jr.
Manager - Waterways Branch - Oklahoma Department of Transportation

John Pearson
President - Guthrie Corp. -- Member - Waterway Users Board

Robert (Bob) Portiss
Port Director - Tulsa Port of Catoosa

Scott Robinson
Port Director - Port of Muskogee

SUMMARY OF ORAL STATEMENT

of

ARKANSAS RIVER BASIN INTERSTATE COMMITTEE

to

THE CHAIRMAN
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
APPROPRIATIONS COMMITTEE

UNITED STATES SENATE
and
UNITED STATES HOUSE OF REPRESENTATIVES

March 5, 1996

The entire McClellan-Kerr Arkansas River Navigation System remains at risk until Montgomery Point is completed. Meanwhile, some $5 billion in federal and private investments, thousands of jobs and growing exports are endangered. The needed lock and dam was in the original project. Because of Congressional insistence, the construction authority remains open.

We respectfully request and urge the Congress to appropriate $16 million for use in FY '97 to continue construction for the urgently needed facility. This rounded amount is from the Corps of Engineers approved schedule of construction funding for FY '97 (at 1993 prices). This funding will insure that the urgently needed facility is in operation as soon as possible at the lowest possible cost.

STATEMENT OF
ARKANSAS RIVER BASIN INTERSTATE COMMITTEE
to
THE CHAIRMAN
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
APPROPRIATIONS COMMITTEE

UNITED STATES SENATE
and
UNITED STATES HOUSE OF REPRESENTATIVES

MARCH 5, 1996

Mr. Chairman and members of this distinguished Committee, my name is Wallace Gieringer. I am Chairman of the Arkansas River Basin Interstate Committee, members of which are appointed by the governors of the great states of Arkansas, Colorado, Kansas, Missouri and Oklahoma. As Chairman, I am the speaker for the Committee and respectfully request that the copies of each state's individual statement be made a part of the record, along with this testimony.

We collectively have the responsibility to coordinate water resource matters among the states we serve and to speak for the Arkansas River Basin in appearances before committees of Congress and regulatory agencies. Today members of the Interstate Committee and others from our states are present in support of our request.

Mr. Chairman, the members of the Interstate Committee have agreed to focus on one subject vital to the five-state area and beyond - the McClellan-Kerr Arkansas River Navigation System and Montgomery Point Lock and Dam.

You might ask, how has the Navigation System faired? The Institute for Water Resources in 1983 evaluated the McClellan-Kerr and asked that and other questions. They were:

Did the project work?..	YES
Do benefits exceed costs?..	YES
Is it the best thing since sliced bread?.............................	PERHAPS
Did the rest of the United States lose while the river corridor gained?.........................	NO
What about the environment?..	IMPROVED

The Institute reported: "The McClellan-Kerr Project affects all regions of the nation due to trade and production interrelationships. Almost as many jobs are created in areas outside the river corridor (counties), in Arkansas and Oklahoma and in the 48 remaining mainland States, as in the corridor." Truly this investment is of national importance with benefits flowing throughout the nation.

Today, the McClellan-Kerr Arkansas River Navigation System continues to be a success story. The $1.4 billion federal infrastructure investment authorized by Congress has triggered an additional $3.5 billion in public and private investments. Some 53,000 jobs have been created. Trading partners have been developed in forty-three countries on six continents. 1995 was another record year for tonnage, with over 11 million tons of commodities barged.

That's the good news. And our five states and the nation can be justifiably proud of this navigation system and forever grateful to this important committee and the Congress for making it a reality.

The bad news is that the viability of the entire Arkansas River Navigation System, the investments, the jobs and the international trade are at risk. They are threatened and will continue to be threatened until Montgomery Point Lock and Dam is constructed ½ mile from the confluence of the entrance channel and the Mississippi River.

Let me explain:

- The water level of the Mississippi River controls the level of the entrance channel. In recent years the surface of the Mississippi has dropped resulting in navigation restrictions on and occasional closing of the entrance channel. The Corps of Engineers has already found it necessary to dredge to the depth of the concrete sill of Norrell Lock and Dam - the first dam upstream - just to maintain a 9' entrance channel (exhibit 1).

- This dropping of the water level of the Mississippi is projected by the Corps of Engineers to continue. With projected water stages, the navigable depth of the entrance channel will become less and less. The carrying capacity for barges going to or from the system will be drastically reduced. By 2030, not even empty tows will be able to enter or leave the navigation system. They will be resting on the bottom with no water!

The entire Arkansas River Navigation System remains at risk until Montgomery Point is completed. Meanwhile, some $5 billion in federal and private investments, thousands of jobs and growing exports are endangered. The needed lock and dam was in the original project. Because of Congressional insistence, the construction authority remains open.

We are thankful the Congress, in Public Law 102-580 directed that "The Secretary shall proceed expeditiously with design, land acquisition, and construction of the Montgomery Point Lock and Dam on the White River, Arkansas, authorized as part of the McClellan-Kerr Waterway by Section 1 of the River and Harbor Act of July 24, 1946."

Mr. Chairman, we are also very grateful that you, your associates, the Congress and the Administration have recognized the urgency of constructing Montgomery Point. Appropriations of $18.6 million have been made to date for engineering, site acquisition and construction of this $163 million project (1993 dollars) scheduled for completion in 2003. Yet, time remains of essence. Additional congressional action is needed this year.

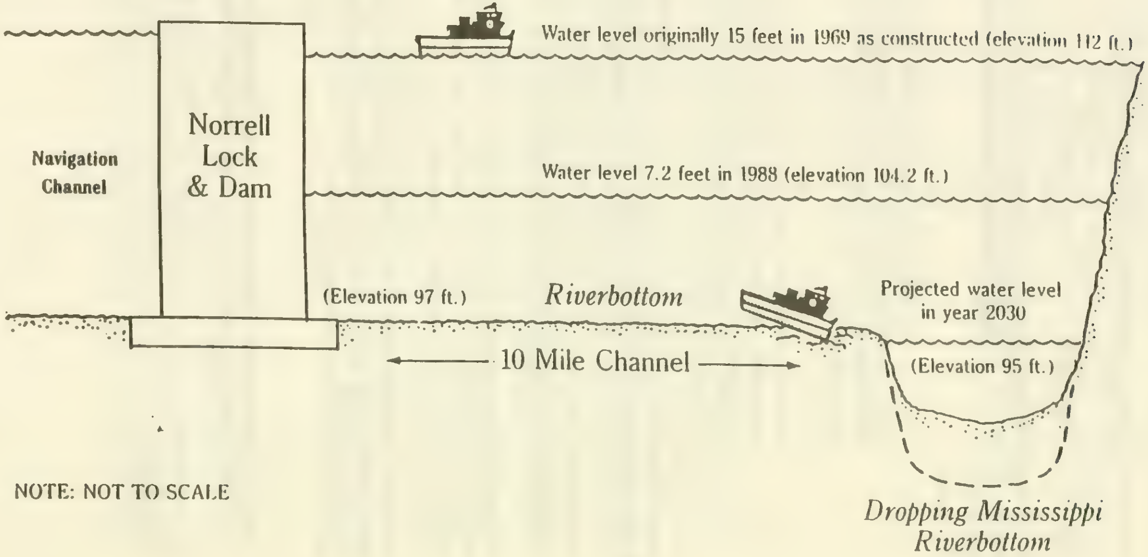
We respectfully request and urge the Congress to appropriate $16 million for use in FY '97 to continue construction for this urgently needed facility. This rounded amount is from the Corps of Engineers approved schedule of construction funding for FY '97 (at 1993 prices). This funding will insure that the urgently needed facility is in operation as soon as possible at the lowest possible cost.

Mr. Chairman, we also respectfully request that you and members of your staff review and respond in a positive way to the attached individual statements from each of our states. These set forth specific requests pertaining to those states.

We sincerely appreciate your consideration and assistance. Thank you very much for the foresight, wisdom and resourcefulness you and your colleagues demonstrate each and every year in providing solutions to our nation's water resource problems.

Arkansas River Navigation System

Entrance Channel PROFILE


Water level originally 15 feet in 1969 as constructed (elevation 112 ft.)
Navigation Channel
Norrell Lock & Dam
Water level 7.2 feet in 1988 (elevation 104.2 ft.)
(Elevation 97 ft.)
Riverbottom
Projected water level in year 2030
(Elevation 95 ft.)
10 Mile Channel
Dropping Mississippi Riverbottom

NOTE: NOT TO SCALE

STATEMENT OF
WALLACE A. GIERINGER, CHAIRMAN FOR ARKANSAS
ARKANSAS RIVER BASIN INTERSTATE COMMITTEE
to
THE CHAIRMAN
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
APPROPRIATIONS COMMITTEE
UNITED STATES SENATE
and
U.S. HOUSE OF REPRESENTATIVES

RELATIVE TO APPROPRIATION FOR THE COMPREHENSIVE DEVELOPMENT OF THE ARKANSAS RIVER BASIN FOR FY 1997

MARCH 5, 1996

Mr Chairman and members of the Committee, my name is Wallace Gieringer I am the recently retired Executive Director of the Pine Bluff-Jefferson County Port Authority and serve as Arkansas Chairman for the Interstate Committee. Other committee members representing Arkansas are Messrs. Wayne Bennett, soybean and rice farmer from Lonoke; Colonel Charles D. Maynard, U.S. Army, retired, from Little Rock, Barry McKuin, Executive Vice President for Winrock Farms, Inc., at Morrilton; and N. M. "Buck" Shell, Transportation Specialist from Fort Smith.

The McClellan-Kerr Arkansas River Navigation System is quite a success story. The $1.4 billion federal infrastructure investment authorized by the Congress has triggered an additional $3 5 billion in public and private investments. Some 53,000 jobs have been created. Trading partners have been developed in forty-three countries on six continents

Today the future of this wonderful navigation system is threatened. Let me explain.

- The water level of the Mississippi River controls the level of the entrance channel. In recent years the surface of the Mississippi River has dropped resulting in navigation restrictions on and occasional closing of the entrance channel.

- The low water level of the Mississippi River is projected by the Corps of Engineers to continue to decline. Consequently, the navigable depth of the entrance channel will continue to become less and less thereby drastically reducing the carrying capacity for barges going to or from the system. By 2030, not even empty tows will be able to enter or leave the navigation system. They will be resting on the bottom with no water.

- The Montgomery Point Lock and Dam to be constructed ½ mile from the confluence will insure reliable navigation, protect the billions in federal and private investments, and preserve thousands of jobs related to the waterway.

We are here, Mr. Chairman, to thank you and the members of this most important committee for your past assistance. We are very grateful that you, your associates, the Congress and the Administration have recognized the urgency of constructing Montgomery Point Lock and Dam. Appropriations of $18.6 million have been made to date for engineering, site acquisition and construction for this $163 million project (1993 dollars) scheduled for completion in 2003.

Mr. Chairman and Members of the Committee, we respectfully request and urge the Congress to appropriate $16

million for use in FY '97 to continue construction for this urgently needed facility. This rounded amount is from the Corps of Engineers approved schedule of construction funding for FY '97. This funding will insure that the urgently needed facility is in operation as soon as possible at the lowest possible cost.

Other projects in our region are vital to the environmental, social and economic well-being of the region and our nation We recognize the importance of continued construction of needed features to the McClellan-Kerr Arkansas River Navigation System and strongly recommend that you favorably consider the following in your deliberations when budgetary information is available:

> Support continued funding for the construction, operation and maintenance of the McClellan-Kerr Arkansas River Navigation System.
>
> Continue construction authority for the McClellan-Kerr Arkansas River Navigation Project until remaining problems identified by the Little Rock District Corps of Engineers have been satisfactorily resolved
>
> Fund construction activities for the Arkansas River Levees Project as authorized by Section 110 of the Water Resource Development Act of 1990. These levees have been previously studied in the cost shared Arkansas River Arkansas and Oklahoma Feasibility Study. Funding is needed for construction for the rehabilitation of the Plum Bayou and Tucker Creek Levees and for continuing engineering and design of the others identified in that study.
>
> Fund continued repair and rehabilitation of the power units at the Dardanelle Lock and Dam which first went into operation in 1965. After this work is completed, power output will be increased by 13%.
>
> Direct the Corps of Engineers to complete the Morgan Point Environmental Restoration Project and allow the local sponsor to receive credit for in-kind services.
>
> Provide funding and direct the Corps of Engineers to complete the installation of tow haulage equipment at Norrell Dam and Dam 2 and start installation on the locks and dams between Little Rock and Tulsa. This efficiency feature will reduce lockage time by as much as 50% while permitting tonnage to double in each tow with only a minor increase in operating cost.

We also urge the Congress to encourage the Military Traffic Management Command to continue to identify opportunities to accelerate use of the nation's navigable waterways to move military cargoes thereby helping contain the nation's defense costs.

In conclusion, Mr. Chairman, **the entire Arkansas River Navigation System remains at risk, and its long-term viability is threatened. The system will remain at risk until Montgomery Point Lock and Dam is constructed, which is scheduled for completion in 2003. Some $5 billion in federal and private investments and thousands of jobs and growing exports are endangered. The proposed lock and dam was in the original project. Thanks to Congressional insistence, the construction authority remains open.**

Please help prevent a crisis for the Arkansas River Navigation System and the multi-state region it serves by appropriating $16 million for use in FY '97 for Montgomery Point Lock and Dam.

We fully endorse the statement presented to you today by the Chairman of the Arkansas River Basin Interstate Committee. We appreciate the opportunity to testify before your most important subcommittee and urge you to favorably consider our request for needed infrastructure investments in the natural and transportation resources of our nation.

Statement of
Southeastern Colorado Water Conservancy District

Represented by
Steve Arveschoug, District General Manager

acting as a part of the
Arkansas River Basin Interstate Committee

presented to

The Chairman
Subcommittee on Energy and Water Development
Appropriations Committee

United States Senate
and
U. S. House of Representatives

March 5, 1996

Mr. Chairman and Members of the Appropriations Subcommittee on Energy and Water Development, thank you for the opportunity to present these comments and requests. The Southeastern Colorado Water Conservancy District has for many years offered testimony before the U.S. House of Representatives and the United States Senate concerning the issues of the Arkansas River Basin Interstate Committee and more specifically the needs and issues from the Arkansas River Basin in Colorado.

Speaking on behalf of the Board of the nine-county Southeastern Colorado Water Conservancy District, and here today as a participant in the Arkansas River Basin Interstate Committee, I first want to say that we support the priority funding request of the Interstate Committee for the McClellan-Kerr Arkansas River Navigation System and Montgomery Point Lock and Dam.

The completion of the Montgomery Point Lock and Dam project, as authorized by Congress, is vital to maintain the success of federal and private sector investments in the entire Arkansas River Navigation System. The project certainly has positive impacts for the five-states represented on the Interstate Committee. Colorado for example exports over 259,000 tons of coal and paper scrap, and imports over 150,000 tons of commodities each year using the facilities of the McClellan-Kerr Arkansas River Navigation System Ports. The benefits of this navigation project are also felt nationwide as a positive part of our country's international trade economy. Your consideration of this funding request is appreciated.

Allow me to update the Subcommittee members on the needs and issues in Colorado's Arkansas River Basin.

U.S. Bureau of Reclamation--Fryingpan-Arkansas Project

The U.S. Congress has long supported Colorado's Fryingpan-Arkansas Project, first granting legislative authorization in 1962. As the major federally-sponsored project for water delivery on Colorado\s Arkansas River Basin, the Fry-Ark Project continues to be a good investment of public resources (please note the attached map).

Over the last ten years the Southeastern Colorado Water Conservancy District has allocated over 600,000 acre-feet of valuable trans-mountain water from the diversion and storage systems of the Fry-Ark Project to farms and cities in the arid Arkansas River Basin in Colorado. Since 1970 the water users and tax payers in the District have paid over $49 million toward the operation and maintenance, and the construction repayment costs for the Fry-Ark Project. It has been a valuable investment for the District's constituents. Thank you for your vision and commitment to the family farms and communities of Southeastern Colorado through you support of the Fryingpan-Arkansas Project.

The U.S. Bureau of Reclamation will again request funding for the Multipurpose Operation and Maintenance and the Federal Project expenses for the Fryingpan-Arkansas Project, Mr. Chairman and Members, I would take this opportunity to encourage your continued support for this key water delivery and power generation project.

U.S. Army Corps of Engineers

Arkansas River Channel Maintenance Study Project--

Following the May 15, 1995 United States Supreme Court's initial decision in the Kansas vs. Colorado lawsuit, which addressed issues of compliance with the Kansas-Colorado Arkansas River Compact, Colorado Department of Natural Resource officials met with the U.S. Army Corps of Engineers to discuss concerns over the river channel below the Corps John Martin Reservoir. River channel capacity below John Martin Reservoir is important for two reasons. First, in order for Colorado to meet its obligations under the River Compact it must be able to allow for the flow of the unappropriated natural waters of the river to the state-line for use in Kansas. Over time the river channel has tightened and now limits flows. Secondly, high waters from the 1995 runoff caused damage to valuable farm land in Colorado and in Kansas With the river channel unmaintained, peak runoff flows in the years to come will again cause damage to agricultural lands.

The Corps of Engineers has agreed to work with the Colorado Water Conservation Board on this issue and has identified limited financial resources in the Planning Assistance to States Program to begin the study process. It may be necessary to approach Congress in the future as the study effort looks toward possible implementation of a channel maintenance program. I will keep this committee updated on this issue.

Operations and Maintenance John Martin Reservoir and Trinidad Lake--

These two flood control projects are valued facilities in southeastern Colorado. John Martin Reservoir is an important part of the annual Winter Water Storage Program which provides much needed irrigation water for farms, and the reservoir stores water for both Kansas and Colorado water users. Lake Trinidad is becoming an important recreational facility for the entire region, in addition to meeting it's flood control requirements. The Corps of Engineers will again request funding from Congress to maintain these federally-operated projects, and I encourage your support of these requests.

Alamosa Levee Project--

This project is not in the Arkansas River Basin but certainly warrants comments in this forum today. Alamosa, Colorado is in the Rio Grande River Basin and has a need to control flood waters from the Rio Grande River. The Corps of Engineers has requested funding for this project over the last few years and has received Congressional authorization for the initial phases of the project. The completion of this project will provide 100-year flood protection for the City of Alamosa. I encourage your continued support of this vital flood control project.

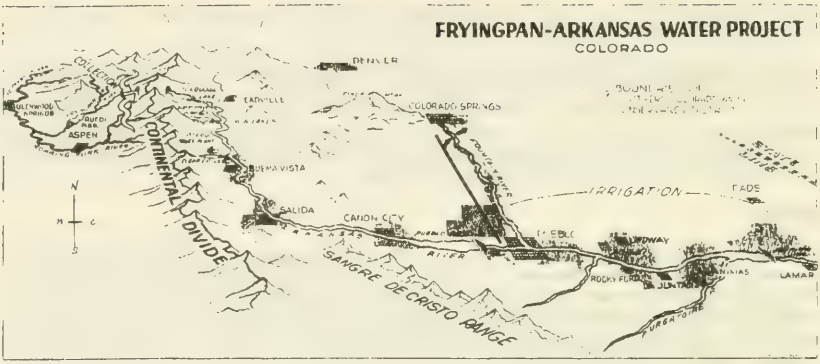
Protection of the States' Water Resources

Colorado is an active part of the Colorado River Endangered Fish Recovery Program, which is a program of the United States Fish and Wildlife Service and the Colorado River Compact Upper Basin States. Water users from the states work with the USFWS, under the leadership of state-level agencies, to set the objectives for the program. It is at times a strained relationship, but so far it appears to work by allowing for the proper balance between water use and the protection of the natural environment. The major reason it has experienced success is because, in the case of Colorado, the state Water Conservation Board administers any in stream flow water rights, as prescribed by state law, as may be required for the operation of the Recovery Program. This is a working example of the need for states to continue their leadership role in water resources management versus federal-level control.

The U.S. House of Representatives has been very sensitive to the states' need to control and administer the waters of their individual state. Each state has unique needs and demands on their water resources and provides a legal and administrative foundation for the protection and delivery of the waters of their state. The Congress has recognized the importance of maintaining the states' primacy in water resources administration. The continuation of that approach is critically important to Colorado and the other Western States as Congress completes work on the Endangered Species Act reauthorization, the Farm Bill and the many other policy matters which impact water users.

Conclusion--

Mr. Chairman and Members, your time and interest in these matters is greatly appreciated. The constituents represented by the Arkansas River Basin Interstate Committee, and in particular the Southeastern Colorado Water Conservancy District, feel that they have established a successful partnership with Congress and the many Federal agencies who work with us in providing the water from the Fryingpan-Arkansas Project, John Martin Reservoir and Lake Trinidad, as well as the services of the McClellan-Kerr Arkansas River Navigation System and Montgomery Point Lock and Dam. We look forward to a continuation of that partnership as you address the issues I've discussed today.



FRYINGPAN-ARKANSAS PROJECT RESERVOIRS

	Acre-Feet Capacity		Height Dam (Feet)		Surfaces Acres		Shoreline (Miles)
	Pre-Project	Actual	Pre-Project	Actual	Pre-Project	Actual	Actual
* Ruedi	—	102,369	—	285	—	997	12
* Turquoise	17,416	129,432	49	135	818	1,788	11
****Mt. Elbert Forbay	—	9,926	—	92	—	279	3
****Twin Lakes	117,550	166,179	41	60	2,445	3,137	14
*** Pueblo	—	357,000	—	191	—	5,680	60
TOTALS	134,966	764,906			3,263	11,881	100

COLLECTION SYSTEMS

	Conduits (mi)	Tunnels (mi)	Capacity
Southside	1.0	(3) 13.5	
Northside	3.0	(6) 8.0	
**Boustead Tunnel		5.4	10.5 dia 945 cfs

*Completed in 1968
**Completed in 1971
***Completed in 1975
****Completed in 1984

TRANSPORTATION SYSTEM

	Length (mi)	Capacity
Mt Elbert Cdt	13.1	500 cfs
Otero Canal	5.5	725 cfs
Ark. River	300	varied

POWER PLANTS

	Penstock			Generating
	Length	Diameter	Capacity	Capacity
Mt. Elbert**	3,000	180"	3,590 cfs	200 mw
Otero	950	84"	575 cfs	11 mw

**Pumped Storage

Summary Statement of Kansas

Arkansas River Basin Interstate Committee Testimony
to
The Chairman, Subcommittee on Energy and Water Development
Appropriations Committee
United States Senate and United States House of Representatives
Washington D.C.

March 5, 1996

The water resource projects in the Kansas portion of the Arkansas River Basin have been carefully reviewed and reflect accurately the need. Many of the projects are safety, environmental and conservation oriented.

In addition to the projects summarized below, we state our unanimous support for the $16 million included in the Corps of Engineers construction funding schedule for the critical **Montgomery Point Lock and Dam Project** to maintain viable commerce of navigation between the McClellan-Kerr Arkansas River Navigation System and the Mississippi River.

We ask for your support for these important Bureau of Reclamation projects:

1. **City of Wichita/Groundwater Management District No. 2/State of Kansas Groundwater Recharge Demonstration Project** - a multi-year pilot project to demonstrate the feasibility of recharging a major groundwater resource supplying water to nearly 500,000 municipal, industrial and irrigation users and will also reduce potential degradation of the existing groundwater quality by minimizing migration of saline water. Continued funding request is $500,000.
2. **Cheney Reservoir** - on the North Fork of the Ninnescah River providing natural treatment of inflows in the upper reaches of Cheney Reservoir to control poor water quality due to agricultural runoff. The funding request is $235,000 to continue this important project.
3. **On-going Water Quality/Environmental Research** - Authorization of on-going Bureau of Reclamation research is critical to protecting existing supplies.

We ask for your support for these equally important projects of the Corps of Engineers:

1. **Arkansas City, Kansas Flood Protection** - to protect homes and businesses from catastrophic damages resulting from either Walnut River or Arkansas River flooding. FY '96 funding in the amount of $700,000 is appreciated and continued funding is requested to complete the project.
2. **Winfield, Kansas Flood Protection** - this project will raise and extend an existing levee to provide badly needed flood control for the city. FY '96 funding in the amount of $670,000 is appreciated and continued funding is requested to complete the project.
3. **Grand (Neosho) River/Basin** - Research in the amount of $500,000 to $600,000 to evaluate the adequacy of federal flood control easements around Grand Lake is needed. The existing problems and needed solutions impact both Kansas and Oklahoma.
4. **On-going Water Quality/Environmental Protection Research** - Authorization of on-going Corps of Engineers research is essential as is demonstration project funding.
5. **Kanapolis Lake Water Quality Storage Reallocation** - We urge you to support the Kansas Water Office request for the Corps of Engineers to reallocate existing water quality storage for public supply availability for communities.

We urge your support of the Department of Interior project:

Quivira National Wildlife Refuge - Complete an engineering study to identify the watershed-based options available for producing the most efficient use of resources for the refuge and irrigation needed to support the area agricultural economy. The funding request is $600,000.

Gerald H. Holman, Chairman for Kansas
Arkansas River Basin Interstate Committee

to

The Chairman, Subcommittee on Energy and Water Development

United States Senate
and
United States House of Representatives
Washington D.C.

March 5, 1996

Mr. Chairman and Members of the distinguished Committee, I am Gerald H. Holman, Senior Vice President of the Wichita Area Chamber of Commerce, Wichita, Kansas and Chairman of the Kansas Interstate Committee for the Arkansas River Basin. This statement is submitted today, representing the Kansas Delegation. Other members of the Kansas Delegation are Arthur T. Woodman, Architect with offices in Wichita, and Frank Liebert, Attorney-At-Law, Coffeyville

We are honored to join with our colleagues from the states of Arkansas, Colorado, Missouri and Oklahoma, which five (5) states, including Kansas, comprise the Arkansas River Basin Interstate Committee. We appear before you in unison today and fully endorse the statement of the Chairman of the Arkansas River Basin Interstate Committee.

In addition to the important projects listed below, we state our unanimous support for the construction of the critical **Montgomery Point Lock and Dam Project** to maintain viable navigation for commerce between the McClellan-Kerr Arkansas River Navigation System and the Mississippi River. The inland waterway is vital to the economic health of the five state area and your support is needed to maintain its future viability. We hereby state our unanimous support for the $16 million included in the Corps of Engineers construction funding schedule.

We are most grateful and express our thanks to each member of the committee and the full Congress for directing, in Public Law 102-580, that "The Secretary shall proceed expeditiously with design, land acquisition, and construction of the Montgomery Point Lock and Dam on the White River, Arkansas, authorized as part of the McClellan-Kerr Waterway by Section 1 of the River and Harbor Act of July 24, 1946." This will ensure that the facility is in operation as soon as possible at the lowest possible cost.

The water resource projects in the Kansas portion of the Arkansas River Basin have been carefully reviewed by the Kansas delegation and reflect accurately the need. Many of the projects are safety, environmental and conservation oriented We are grateful for your past commitment and respectfully request your continued commitment.

We ask for your support for these important Bureau of Reclamation projects for the Wichita area:

1. **City of Wichita/Groundwater Management District No. 2/State of Kansas Ground water Recharge Demonstration Project -** this is the continuation of a Bureau of Reclamation project to demonstrate the feasibility of recharging a major groundwater resource supplying water to nearly one-half million municipal, industrial and irrigation users. We are grateful for the $1 million funding in FY '95 and FY '96. This technology has application to other areas throughout the nation. The full scale project, when implemented, will capture flood flows from the Little Arkansas River providing water for use during times of low rainfall or dry conditions and will also reduce potential degradation of the existing groundwater quality by minimizing migration of saline water. This project is vital to the future of the metropolitan Wichita area and surrounding farming communities. FY '97 funding in the amount of

$500,000 is requested for this on-going federally supported project to cost share with City of Wichita funding. Governor Graves, supports this much needed project as a benefit to 20% of the state's population.

2. **Cheney Reservoir** - the reservoir is a major and critical component of Wichita's water supply resources. Two environmental problems threaten the water quality and longevity of the reservoir. One is sedimentation from soil erosion and the other is the amount of phosphates entering the water resulting in offensive taste and odor problems. Potential pollution sites in the watershed above the reservoir have been identified along with best management practices that can help reduce the pollution from those sites. The City of Wichita has committed $1.2 million to this project for implementing soil conservation practices consistent with the Management Plan. The Bureau of Reclamation constructed the reservoir and has remained involved in on-going support. Federal funding in the amount of $235,000 is requested as cost share support for the local funding provided by the City of Wichita.

3. **On-going Water Quality and Environmental Research** - Aggressive and innovative treatment techniques must be identified and implemented to protect our valuable water resources from increasing environmental problems. Authorization of on-going Bureau of Reclamation research is critical to protecting existing resources.

You have given your previous support to many important local protection projects in Kansas. Many projects are now completed and we are most grateful for your construction authorization. Since our agricultural communities have historically experienced major flood disasters, we are justifiably interested in rapidly moving to completion other needed projects These projects all have multi-state impacts involving portions of the State of Oklahoma. However, our small communities do not have the funds nor engineering expertise necessary to provide adequate flood damage reduction measures.

Therefore, consistent with your previous authorizations and consistent with the multi-state direction of the Corps of Engineers, we ask for your continued support for the following projects:

1. **Arkansas City, Kansas Flood Protection** - this project is in response to a critical need to protect the environment, homes and businesses from catastrophic damages that would result from either Walnut River or Arkansas River flooding which could include flood borne petroleum products from the Arkansas City refinery. The Corps of Engineers has extensively coordinated with the city and various state agencies in the development of this project, which when completed, will eliminate damage in a multi-county area and also result in benefits to the State of Oklahoma just a few miles south of the project. We appreciate the $700,000 FY '96 funding and request your continued support for the immediate implementation of the construction.

2. **Winfield, Kansas Flood Protection** - this project will raise and extend an existing levee to provide badly needed flood control for the city. Your FY '96 support in the amount of $670,000 is appreciated. All design studies are completed and we urge your continued support for the prompt initiation of the project construction to insure the safety of Winfield's citizens.

3. **Grand (Neosho) River/Basin** - the Grand/Neosho River Committee was formed at the request of both the Kansas and Oklahoma congressional delegations to evaluate water resource problems affecting both Kansas and Oklahoma. We appreciated your $500,000 FY '96 funding to initiate the Flood Easement Adequacy Study to evaluate the adequacy of federal flood control easements around Grand Lake. A basin-wide Watershed Study to evaluate water resource problems in the river basin is also needed and we request $500,000 to $600,000 as an initial allocation.

4. **On-going Water Quality/Environmental Protection Research** - Environmental problems are increasing the importance of continued research to protect our valuable water resources. Aggressive and innovative treatment techniques must be identified and implemented. Authorization of on-going Corps

of Engineers research is essential, and as appropriate, demonstration project funding.

5. **Kanapolis Lake Water Quality Storage Reallocation** - agricultural communities in central Kansas are in need of additional public water supplies. A cost effective solution is reallocating existing water quality storage in Kanapolis Lake for public supply availability. The Kansas Water Office has made a request of the Corps of Engineers to authorize the reallocation which is a most expeditious solution for central Kansas. We urge you to support our request of the Corps of Engineers.

Your authorization of funding for a most important U.S. Department of Interior, U.S. Fish & Wildlife Service project is also requested:

> **Quivira National Wildlife Refuge** - this is a joint project involving the U.S. Fish & Wildlife Service - Region 6, the State of Kansas, the local groundwater management district and the Water Protection Association of Central Kansas Quivira provides a resting area for waterfowl and endangered species during their annual migrations in the Central Flyway. The Refuge is comprised of a series of shallow pools totaling about 6,500 surface acre-feet and is part of the Rattlesnake Creek Basin. The Rattlesnake Creek Basin has experienced significant groundwater and streamflow declines in recent years due to climatic conditions as well as expansion of irrigated agriculture. An engineering feasibility study is needed to identify the watershed-based options available for producing the most efficient and effective use of the water resources of the Rattlesnake Creek Basin to protect the Wildlife Refuge as well as the agriculture economy of the area. FY '96 funding in the amount of $760,000 for the U.S. Department of Interior, U.S. Fish & Wildlife Service is appreciated. We request an additional $600,000 in FY '97 to complete the study.

Finally, we are most concerned with the proposal to limit participation of both the Corps of Engineers and Bureau of Reclamation in development of water resources infrastructure. It is vital to have the integrity and continuity these agencies provide on major public projects. Your thorough reconsideration of this new direction will be greatly appreciated.

Mr. Chairman and Members of this Committee, we thank you for the dedicated manner in which you and your distinguished colleagues in the Congress of the United States have dealt with the Water Resources Programs and for allowing us to present our views and recommendations to you. We look forward with great expectations and hope for the future of water resource development in Kansas and the Arkansas River Basin

SUMMARY

STATEMENT OF
JAMES M. HEWGLEY, JR., CHAIRMAN FOR OKLAHOMA
ARKANSAS RIVER BASIN INTERSTATE COMMITTEE

March 5, 1996

Mr. Chairman and Members of the Committee, I am James M. Hewgley, Jr., Oklahoma Chairman of the Arkansas River Basin Interstate Committee, from Tulsa, Oklahoma.

Montgomery Point Lock and Dam - we strongly urge the Congress to appropriate $16 million to continue construction of this project. This is the amount that the Corps of Engineers has published in their schedule of construction funding for FY '97 (at 1993 dollars). This construction must continue to preserve the $5 billion investment of public and private funds as well as save the 53,000 jobs that exist as a result of the navigation system.

The Grand/Neosho River Committee - has recently completed nearly three years of work in investigating the flooding problems above and below Grand Lake in Oklahoma. The Committee has recommended, among other things, that the problem needs immediate attention. Also that two studies need to be initiated immediately. The studies and amounts needed are as follows:

- **Watershed Study - $500,000 to $600,000**
- **Flood Easement Adequacy Study - $2 to $2 ½ million**

The Committee also feels very strongly that the following studies and programs deserve your serious consideration and support:

- **Assessment of the McClellan-Kerr Arkansas River Navigation System and related purposes - $250,000**
- **Cimarron River Basin reconnaissance study - $500,000 to $600,000**
- **Partners for Environmental Progress (PEP) - continue funding**
- **Planning Assistance to States Program - continue funding**
- **Flood Plain Management Services Program - continue funding**
- **Continuing Authorities Program, including**
    - **Small Flood Control Projects Program**
    - **Emergency Streambank Stabilization Program - continue funding**
- **Environmental Restoration Program - continue funding**

Endangered Species Act - the Congress should consider amending the Act to require the consideration of economic impacts in a decision to list a species as endangered or threatened. Reasonable reforms need to be brought to the act so that great hardship or financial ruin is not inflected upon the American Public. Also that there is no taking of private land without just compensation.

STATEMENT OF
JAMES M. HEWGLEY, JR., CHAIRMAN FOR OKLAHOMA
to
THE CHAIRMAN
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
APPROPRIATIONS COMMITTEE
UNITED STATES SENATE
and
U.S. HOUSE OF REPRESENTATIVES

MARCH 5, 1996

Mr. Chairman and Members of the Committee, I am James M. Hewgley, Jr., Oklahoma Chairman of the Arkansas River Basin Interstate Committee, from Tulsa, Oklahoma.

It is my privilege to present this statement on behalf of the Oklahoma Members of our committee in support of adequate funding for water resource development projects in our area of the Arkansas River Basin. Other members of the Committee appointed by the Governor are: Mr. Harold B. Scoggins, of Muskogee (recently deceased); Mr. E. R. Albert, Jr., Tulsa; Mr. Robert S. Kerr, Jr., Oklahoma City; and Mr. Coleman Fite, Muskogee.

Together with representatives of the other Arkansas River Basin states, we fully endorse the statement presented to you by the Chairman of the Arkansas River Basin Interstate Committee. We appreciate the opportunity to present our views of the special needs of our State concerning several studies and projects.

As we have testified in the past, serious problems have arisen at the waterway entrance to the McClellan-Kerr Arkansas River Navigation System. Extensive testing has proved that construction of **Montgomery Point Lock and Dam** will be necessary to correct the problem. This project must be started soon to regain/maintain the shippers confidence in the reliability of the system.

Your recognition, as well as that of the Administration, of the importance of constructing Montgomery Point Lock and Dam is very gratifying. To date you and your colleagues have appropriated $18.6 million for engineering, site acquisition and construction. This action is very much appreciated.

We are thankful the Congress, in Public Law 102-580 directed that "The Secretary shall proceed expeditiously with design, land acquisition and construction of the Montgomery Point Lock and Dam on the White River, Arkansas, authorized as part of the McClellan-Kerr Waterway by section 1 of the River and Harbor Act of July 24, 1946 (60 State. 635-636)."

We respectfully request the Congress appropriate $16 million for the FY '97 budget cycle to complete design engineering and continue construction for the authorized project. This amount has been rounded up from the Corp of Engineers approved and published schedule of construction funding for FY '97 (at 1993 dollars). This funding will ensure that the needed facility is in operation as soon as possible at the lowest possible price.

Mr. Chairman, members of this distinguished Committee, we respectfully remind each of you that this navigation system has brought low cost water transportation to Oklahoma, Arkansas and surrounding states. **The Federal Government has invested $1.4 billion in constructing** the system and there has been **$3.5 billion invested**

by the public and private sectors to develop the land side facilities and more than **53,000 jobs have been created** as a result.

The Interstate Committee recommends that $250,000 be made available to the Tulsa District, Corps of Engineers, to initiate an ***Assessment of the McClellan-Kerr Arkansas River Navigation System and related purposes*** in FY '97. This assessment will evaluate the economic impacts that the construction and operation of this major resource system has had on the Nation, the impacted states and local areas along the system. Project outputs will be identified as to incidence of principal beneficiary and nature and magnitude of the outputs (benefits). Project features will be examined from the perspective of whether or not greater efficiencies can be achieved by de-federalizing project components including the operation and maintenance of those features such as transfer to non-federal governmental bodies or the private sector. Such an assessment will provide a basic model for similar projects around the Nation.

We are pleased that the President's budget includes funds to advance work for Flood Control in Oklahoma. Of special interest to our committee is funding in the range of $5 million for **Mingo Creek, Tulsa, Oklahoma** and $4.7 million for **Fry Creeks, Bixby, Oklahoma**.

We also support two proposed studies supported by the **Grand-Neosho River Committee** which consist of a basin-wide ***Watershed Study*** to evaluate water resource problems in the Grand-Neosho River basin in Kansas and Oklahoma; and a ***Flood Easement Adequacy Study*** which would evaluate the adequacy of Federal flood control easements around Grand Lake. The Grand-Neosho River Committee is a multi-state organization with members representing a full range of basin concerns and water resource development uses. We request an initial study allocation of $500,000 to $600,000 for the Watershed Study and request an initial study allocation of $2 to $2.5 million in FY '97 to initiate the study and obtain necessary mapping and other base data.

Studies conducted by the Tulsa District in the 1970's identified the potential for flood damage reduction measure in the **Cimarron River Basin**. Several potential multiple purpose reservoirs were considered for development in response to needs for flood control, water supply, fish and wildlife and recreation. Development and operation of these projects in conjunction with the existing system of reservoirs in the Arkansas River Basin would provide for flood damage reduction along the Cimarron River downstream, as well as along the Arkansas River from Keystone Dam near Tulsa to Fort Smith, Arkansas. These projects would also offer the potential for development of hydropower and navigation benefits along the McClellan-Kerr Arkansas River Navigation System. The committee requests funding of a reconnaissance study of the Cimarron River Basin in the range of $500,000 to $600,000.

The Oklahoma Arkansas River Basin Interstate Committee also requests your continued support and funding for the **Partners for Environmental Progress** (PEP) program which was initiated under the Energy and Water Development Appropriations Act for fiscal year 1991 and has been re-approved and funded every year through fiscal year 1996. We are hopeful that the President's budget includes funding for this program again in FY '97. **The PEP program encourages greater private sector investment in water dependant environmental infrastructure which has previously been publicly funded.** Small towns, counties, water and sewer authorities, utility districts and other public bodies who would not otherwise have the technical support or financial expertise are provided that support by the Corps of Engineers. We encourage you to continue to fund this important program to help these small cost-sharing sponsors deal with their infrastructure problems and facilitate infusion of private capital into here-to-fore public projects.

We urge you to continue your support of the **Planning Assistance to States Program** (Section 22 of the 1974 Water Resources Development Act.) Which authorizes the Corps of Engineers to use its technical expertise in water and related land resource management to help States and Indian Tribes with their water resource problems. The program is used by many states to support their States Water Plan. As natural resources diminish, the need to manage them becomes more urgent. We urge your continued support of this program as it supports States and Indian Tribes in developing resource management plans that will benefit citizens for years to come.

We also request your continued support of the **Flood Plain Management Services Program** (Section 206 of the 1960 Flood Control Act) which authorizes the Corps of Engineers to use its technical expertise to provide guidance in flood plain management matters to all private, local, state, and Federal entities. The objective of the program is to support comprehensive flood plain management planning. The program is one of the most beneficial programs available for reducing flood losses. The program provides assistance to officials from cities, counties, states, and Indian Tribes to ensure that new facilities are not built in areas prone to floods. Assistance is also provided on flood warning, flood proofing and other flood damage reduction measures. Critical flood plain information is also provided on a cost reimbursable basis to home owners, mortgage companies, realtors and therefore use in flood plain awareness and flood insurance requirements.

We support funding for the **Continuing Authorities Program** , including the **Small Flood Control Projects Program,** (Section 205 of the 1948 Flood Control Act, as amended) and the **Emergency Streambank Stabilization Program,** (Section 14 of the 1946 Flood Control Act, as amended). We want to express our appreciation for your continued support of those programs. Although the Small Flood Control Projects Program addresses flood problems which generally impact smaller communities and rural areas and would appear to benefit only those communities; the impact of those projects on economic development crosses county, regional and sometimes state boundaries. The communities served by the program frequently do not have the funds or engineering expertise necessary to provide adequate flood damage reduction measures for their citizens. Continued flooding can have a devastating impact on community development and regional economic stability. Likewise, the Emergency Streambank Stabilization Program provides quick response engineering design and construction to protect important local utilities, roads and other public facilities in smaller urban and rural settings from damage due to streambank erosion. The protection afforded by this program helps insure that important roads, bridges, utilities and other public structures remain safe and useful. By providing small, affordable, and relatively quickly constructed projects, these two programs enhance the lives of many by providing safe and stable living environments.

We also request your continued support of and funding for the **Environmental Restoration Program** (Section 1135 of the Water Resources Development Act of 1986). The Environmental Restoration Program is a relatively new program which offers the Corps of Engineers a unique opportunity to work to restore valuable habitat, wetlands and other important environmental features which previously could not be considered.

On a related matter of grave importance to the Interstate Committee, we would respectfully request that during the reauthorization of the ***Endangered Species Act,*** the Congress should consider amending the Act to require the consideration of economic impacts in a decision to list a species as endangered or threatened; as well as mandatory designation of critical habitat at the time the specie is listed, if critical habitat is to be considered. In addition we request that the Congress direct the U.S. Fish & Wildlife Service to develop procedures to objectively share information and specimens with parties that have a beneficiary interest in the listing process.

Mr. MYERS. Well, thank you very much. Very kind of you.

Mr. BEVILL. Thank you.

Mr. MYERS. I apologize for having gone out to make a telephone call. I didn't miss too much of your statement. I will read it.

Thank you again.

You have been around, Mr. Gieringer, for several years, too.

Mr. GIERINGER. Yes, sir.

Mr. HUTCHINSON. Thank you, Mr. Chairman.

Let me add my second on what Wally said on to how you are going to be greatly missed. They are like old friends in coming before the subcommittee.

Thank you again for your consideration and for your service.

Mr. MYERS. Thank you.

Thank you for your fine testimony today.

Mr. BEVILL. How many years is this for you, Wally?

Mr. GIERINGER. Close to 15.

Mr. MYERS. They go by fast, don't they?

Mr. GIERINGER. Yes, they do.

Mr. BEVILL. That is what we call seniority around here. That is good.

[The statement of the Honorable Steve Largent follows:]

STATEMENT OF
THE HONORABLE STEVE LARGENT
MEMBER OF CONGRESS
1ST DISTRICT OF OKLAHOMA
BEFORE
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
APPROPRIATIONS COMMITTEE
U.S. HOUSE OF REPRESENTATIVES

MARCH 5, 1996

Mr. Chairman and members of the Subcommittee, I am pleased to have the opportunity to offer my support for continued funding for water resource development for the Arkansas River Basin and the McClellan-Kerr Arkansas River Navigation System. Before I continue, I want to acknowledge the presence of six distinguished Oklahomans who are here today and have played a significant role in the operation and success of the McClellan-Kerr Arkansas River Navigation System: Mr. Bob Portiss, Port Director - Tulsa Port of Catoosa; Mr. Glen Cheatham, Branch Manager - Waterways Branch, Oklahoma Department of Transportation; Mr. Wallace Gieringer, Chairman, Arkansas River Basin Interstate Committee; Mr. Scott Robinson, Port Director - Port of Muskogee; Mr. John Pearson, President, Guthrie Corporation; and Mr. Dick Barsness, Terminal Operator.

Last year when I testified before this Subcommittee, I noted the fiscal constraints that we in Congress face as we go about the task of balancing the federal budget and the need to prioritize our federal spending such that American taxpayers believe they have received their money's worth. Having said that, the McClellan-Kerr Navigation System is a good example of federal spending that has created jobs, its benefits have exceeded its cost, and the surrounding environment has improved.

Moreover, the McClellan-Kerr Project not only serves the Southwest as a vital transportation link and essential component to trade development with forty-three countries on six continents. The Federal share of this $1.4 billion infastructure improvement has been the catalyst for an additional $3.5 billion in public and private investment.

Unfortunately, this project is threatened by low water levels of the Mississippi River. As I noted last year, the surface of the Mississippi has lowered -- resulting in navigation restrictions on, and occasional closing of the entrance channel. The dropping water level is projected by the Corps of Engineers to continue. Until the Montgomery Point Lock and Dam is completed to alleviate the low water level problem -- the Arkansas River Navigation System remains in jeopardy. That is why I respectfully ask you to consider the $16 million appropriation requested for the FY 1997 budget.

Mr. Chairman, the Subcommittee's recognition of the importance of constructing Montgomery Point and your appropriations in the last six budgets is greatly appreciated. As I stated previously, I believe Congress needs to prioritize our federal spending, but I'm confident that this extremely worthy project not only strengthens our infrastructure -- it also stimulates much needed private investment and helps create jobs.

Thank you for considering my testimony and your consideration.

TUESDAY, MARCH 5, 1996.

SHORE PROTECTION PROJECTS

WITNESS

MORRIS H. KRAMER, ENVIRONMENTALIST

Mr. MYERS. Morris Kramer.

Mr. Kramer, your prepared statement will be placed in the record and you may proceed for 5 minutes as you would like.

Mr. KRAMER. Thank you very much.

My name is Morris Kramer. I am an independent environmentalist from Atlantic Beach Long Island, New York. I have a statement to you, gentlemen, concerning the potential harmful effects of President William Clinton's directive to the U.S. Army Corps of Engineers not to fund coastal protection and erosion projects.

If the Congress permits the President to prevail in this matter, it will be the first time that the United States officially abandons its infrastructure.

I must insert that I am really outraged that President Clinton, who has in an, in your face, attitude to Congress about inland and coastal flood protection and is now flying to all of these flood-prone areas that have suffered disasters, at great publicity, and boosting FEMA to Cabinet level while instead he should be trying to prevent flooding as much as possible. And we the public are going to have to suffer for it.

My request specifically is for the Barrier Beach Long Beach Island, Nassau County, New York, which is the first kill of an approved Corps of Engineers project. The island is about 50,000 to 70,000 people, depending on the time of year. The main city on the island is the City of Long Beach, 35,000 to 50,000 people, and they are at great risk.

Average prices of condominiums are substantially below the average prices of homes on Long Island, so it is not a place, you know, that people portray is for the rich. A strong Category II hurricane at high tide will totally flood the city, cause incredible damage, including the undermining and collapse of tall oceanfront buildings, full of citizens who cannot evacuate in time.

The waters would then inundate the low-lying communities directly to the north of Long Beach Island, which is the Town of Hempstead, the most densely populated town in the country. It would flood portions of the lowest one third which is another 250,000 people. We are just talking about water damage now, not wind.

The hurricane would affect about 300,000 people, cause about $2 billion in losses, about one-third being reimbursed by commercial insurance, the remaining two-thirds absorbed by State and Federal Governments. And then there would have to be tax losses on tax returns on State and Federal levels and there would have to be incredible Federal aid, just to keep these—you know, help these people recover.

The economic disruption to Long Island, the largest taxpayer in New York State, may even threaten the survival of Long Island and also hurt New York State. Afterwards, the hurricane would cross over the rest of Long Island, regain strength in Long Island

Sound, severely impact Connecticut, Massachusetts, Rhode Island, New Hampshire and Maine. So the Federal Government would have to absorb even additional billions. I think this is of national significance.

The Federal cost of the project killed by President Clinton would be about $50 million. If the waterborne damage to my barrier Beach Island and the Town of Hempstead is $2 billion, as I projected earlier, the real cost benefit to this project would be at least 100 to 1, all things considered and included.

I think the Federal Government can save money by approving this project now.

I seem selfish in only discussing the barrier beach because my history has been discussing coastal issues nationally, and I would like to insert the following: An increase of—a return of increased major land-falling hurricane activity should be expected within the next decade or two. When this happens, because of large coastal development during the last 25 to 30 years, the U.S. will see hurricane destruction as never before experienced.

This is more of an immediate natural threat to the U.S. than that of greenhouse gas warming and other environmental problems which are receiving so much more attention in comparison to the hurricane threat.

Mr. MYERS. You have one minute.

Mr. KRAMER. Okay. I am sorry.

That is Professor William Gray of Colorado State University, considered the leading authority on hurricanes in the country.

I am also the first person in this country to raise a question of whether global warming impacted the hurricane of 1991, which impacted and destroyed former President Bush's home in Maine, Kennebunkport, ME, where the water was 4 degrees above normal. That is in the statement.

In the next hurricane cycle, we will see property abandonment that will make what happened in Texas look pale by comparison. From that, Freddie Mac, Fannie Mae and the banks and municipal bond insurers will really take tremendous hits. The insurance companies were looking last year to issue active guard bonds to our pension funds to try and cover their losses from potential hurricane and national disasters.

The American people's mandate is to live in coastal communities. By the year 2000, 60 percent of Americans or 162 million people will live within 50 percent—within 50 miles of the coasts. I believe coastal protection is national security and that in the last 8 years, even though this has been a real weak hurricane cycle, we have had three of the strongest hurricanes this entire century. Hurricane Gilbert, which brushed part of Texas and severely damaged Mexico; 1989, Hurricane Hugo which damaged South Carolina; and 1992 Hurricane Andrew which was small enough to fit into the eye of Hurricane Hugo.

Mr. MYERS. Mr. Kramer, thank you very much for your testimony.

[The statement of Mr. Kramer follows:]

MORRIS H. KRAMER
ENVIRONMENTALIST
BOX 444
ATLANTIC BEACH NY 11509
TEL/FAX (516) 889-6323

March 5, 1966

STATEMENT OF MORRIS H. KRAMER, ENVIRONMENTALIST, BOX 444, ATLANTIC BEACH, NY 11509 TO THE HOUSE SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT CONCERNING THE POTENTIAL HARMFUL EFFECTS OF PRESIDENT WILLIAM CLINTON'S DIRECTIVE TO THE U.S. ARMY CORPS. OF ENGINEERS NOT TO FUND COASTAL PROTECTION AND EROSION PROJECTS. IF CONGRESS PERMITS PRESIDENT CLINTON TO SUCCEED, IT WILL BE THE FIRST TIME THE UNITED STATES OFFICIALLY ABANDONS ITS' INFRASTRUCTURE

Thank you for letting me appear before you today. As a long term environmentalist with serious concerns about hurricanes, Nor'easters, coastal storms, the threat of loss of human lives, and economic losses of untold magnitudes, I believe that I have a better "overall" background on this subject than anyone else.

I predate the problem that we face today. A 1990 newspaper editorial regarding hurricanes praised my years of efforts "…warning of potential disaster…." Additionally, I was the first person in the country in November 1991 to publicly raise the question, **"DID GLOBAL WARMING STRENGTHEN 'FREAKISH' HALLOWEEN STORM?"** which ravaged substantial portions of the East Coast. This storm was enhanced by the remnants of Hurricane Grace which formed in the Atlantic at an above normal latitude. Today, I am also adversely affected and aggrieved by President William Clinton's directive to the U.S. Army Corps. of Engineers not to fund coastal protection projects unless they are of **"NATIONAL SIGNIFICANCE."** This was based upon Vice President Albert Gore's recommendations.

President Clinton's directive caused the **FIRST KILL** in the nation of an approved Corps of Engineers project to reconstruct LONG BEACH BARRIER ISLAND, Nassau County, Long Island where I live. It is the Country's most densely populated barrier beach. Long Beach City, its main community (35,000 people) is middle class. Average prices of condominiums are substantially below average prices of homes on Long Island.

A strong Category 2 Hurricane* at High Tide will totally flood the City, cause incredible damage, including the undermining and collapse of tall oceanfront buildings (full of citizens who do not evacuate in time). The waters would then inundate the communities north of the barrier beach including Island Park and the low lying southern 1/3rd portion of the Town of Hempstead, the Country's most heavily populated Town. The hurricane would effect about 300,000 people. A reasonable dollar estimate of the water borne damages would be $2 billion, about 1/3rd being reimbursed by commercial insurance, the remaining 2/3rds absorbed by the State and Federal Government in the form of casualty tax losses on income tax returns. Additionally, there will have to be substantial and costly federal aid as in major disasters. The economic disruption to Long Island (the largest tax payer in New York State) may even sound the death knell for

MORRIS H. KRAMER, PAGE TWO CONTINUED

Long Island and seriously hurt New York State financially. Naturally, this hurricane will cross over the rest of Long Island, cause even more damage, then cross over Long Island Sound, regain strength from this warm water body, then strike Connecticut, Massachusetts, Rhode Island, New Hampshire and Maine. So, the Federal Government will have to absorb additional $billions. Additionally, Long Island's barrier beaches, mine, Fire Island, etc. may not be able to be reconstructed for residential and commercial use, unless the actual ocean fronts are rebuilt which will cost even magnitudes more federal dollars than it would cost to do the projects now. If this is not of 'NATIONAL SIGNIFICANCE" then what is?

The Federal cost share of the project killed by President Clinton would be about $50 million. If the water borne damage to my barrier beach island and the Town of Hempstead is $2 billion as I projected earlier, the **REAL COST/BENEFIT RATIO** of this project would be at least 100 to 1, all things considered and included. The Federal government could avoid a several $billion tax loss, etc. by approving this project now.

I seem selfish however, only discussing the barrier beach where I live. For years, I've discussed coastal storm damage and the various implications on a national basis. Examine the following:

"LIKELY INCREASE OF LANDFALLING MAJOR HURRICANES IN COMING DECADES"

"...A return of increased major landfalling hurricane activity should be expected within the next decade or two. When this happens, (because of large coastal development during the last 25-30 years), the US will see hurricane destruction as never before experienced. ...This is more or an immediate natural threat to the US than that of greenhouse gas warming and other environmental problems which are receiving so much more attention in comparison to the hurricane threat." Repeated comments of Professor William Gray, Colorado State University, regarded as US leading hurricane forecaster.

Okay, we are leery about listening to academics. So, what do business people, specifically project about potential hurricane losses? Applied Insurance Research Group which forecasts potential insurance losses for the insurance industry forecast the most probable major hurricane to strike the Northeast Region. Total estimated damages will be $52 billion. Asbury Park New Jersey will be the center of impact. New York State's damages will be $38 billion ($34 billion damages will be Long Island, New York City and Westchester County). Damages to New Jersey will be $6 billion, $5 billion to Connecticut, Pennsylvania $1.73 billion, Massachusetts $1/2 billion, Rhode Island $1/4 billion, Vermont $91 million.
Damages to States on the hurricane's weak side, Delaware, Maryland, Virginia would be $317 million.

Obviously, there is potential for great losses from hurricanes. I am not even discussing potential damages from Nor'easter storms which also can cause significant damage.

Now let's consider the current and potential impact of a warming ocean (possibly due to global warming) and its effect on hurricanes and Nor'easters.

For more than a decade, a **"WARM WATER HURRICANE AND NOR'EASTER ALLEY"** has formed along our coast from Florida to Cape Cod. This 150-300 mile wide stretch located in this coastal area contains water several degrees warmer than normal that can intensify and keep hurricanes and Nor'easters on a track near our coast. High School students are being taught that a several degree warmer ocean can intensify hurricanes up to 50%. Theoretically, under these circumstances, a category 4 hurricane can maintain its strength and strike Long Island, or any other coastal State, or the "Hurricane Alley" can intensify the traditional; Category 1 hurricane into a category 4 hurricane. Example: Sea Surface Temperature in the Gulf of Maine was 4 degrees above normal when the 1991 Halloween Storm destroyed former President George Bush' Kennebukport home. Examine the following tables.

STATEMENT OF MORRIS H. KRAMER, CONTINUED PAGE THREE

SAFFIR-SIMPSON HURRICANE INTENSITY SCALE		SEVERAL DEGREE WARMER WATER 50% Intensity Increase	WARMEST GLOBAL MEAN SURFACE AIR TEMPERATURE SINCE 1800s			
Category 1	74 MPH - 95 MPH	111 MPH - 143 MPH	1990	59.84F	1987	59.57F
Category 2	96 MPH - 110 MPH	144 MPH - 165 MPH	1995	59.82F	1983	59.53F
Category 3	111 MPH - 130 MPH	166 MPH - 195 MPH	1991	59.76F	1980	59.51F
Category 4	131 MPH - 155 MPH	196 MPH - 232 MPH	1981	59.70F	1989	59.46
Category 5	Over 155 MPH	Over 232 MPH	1988	59.63F	1993	59.37
			1994	59.57		

It is possible that this already **EXISTING SEVERAL DEGREE WARMER WATER** can help intensify hurricanes (and Nor'easters) and cause destruction greater than anything we have witnessed to date.

The World scientific consensus is that global warming has begun and is continuing, although, there is serious scientific disagreement. For purpose of this statement only, I am completely discounting any future potential sea level rise (which will increase hurricane and Nor'easter damage), even though sea level has been rising at an accelerating rate. Nor, can I prove that the warm water alley is caused by global warming, but, I can show the coincidence to recent "known" history of record warm years globally. To be objective, I believe I was the first person in the country to question key scientists if global warming caused frequent and longer lasting El Ninos can inhibit hurricane activity.

The prevailing belief, however, based upon Professor Gray's theory is that we have alternative "weak" and "strong" hurricane cycles, and that we are headed toward a strong hurricane cycle. What does this portend for our future?

WHAT WILL HAPPEN IN THE NEXT "STRONG" HURRICANE CYCLE?

Hurricane Andrew was the prime example. The media did not cover this adequately. But in the next "strong" hurricane cycle we will witness or participate in the following: A warmer ocean and warmer climate as so far evidenced by the above charts means hurricane seasons will become longer and thus potentially more destructive. The most probable most damaging hurricane to strike the Northeast Region as projected by Applied Insurance Group in 1992 causing $52 billion in damages (my estimate adjusted for inflation since then and scarcity of key items is now $60 billion), is more likely to occur. This also applies to the most probable most damaging hurricane to strike the Miami area as well as other States along our coast. This is utterly frightening to think about, and also what it will do to the Federal and State budgets.

Example: If memory serves me correctly, I believe that an Allstate Insurance statement to the Florida Insurance Commission commented that in the 100 year period, ending in the 1950's, Florida was struck by 90 major hurricanes (that would be at least Category 3). Imagine, a repeat scenario in today's world. The State of Florida would have to be written off. Similarly, if traditional hurricane paths continue, South Carolina, Louisiana, Alabama, Mississippi and Texas will suffer incredible damage. Catastrophic Hurricanes such as Camille in 1969 that struck Louisiana, etc., would become more frequent.

My immediate concerns, however, are strong gales will intensify into more frequent Category 1 & 2 hurricanes, minor hurricanes will become more intensified and more frequent. Gales will similarly intensify into and intensify Nor'easters. Thus, thanks to President Clinton, our coast will be under continued attack and be more vulnerable to an increase in major hurricanes (Category 3 and above).

PROPERTY ABANDONMENT: Homeowners will abandon property to such an overwhelming extent that what happened in Texas in the 1980s will pale by comparison. Freddie Mac, Fannie Mae and banks will take tremendous hits. Indeed, banks will stop providing mortgages along the coasts and nearby inland similar to the way property insurance companies are abandoning the coast. The tax loss rates to

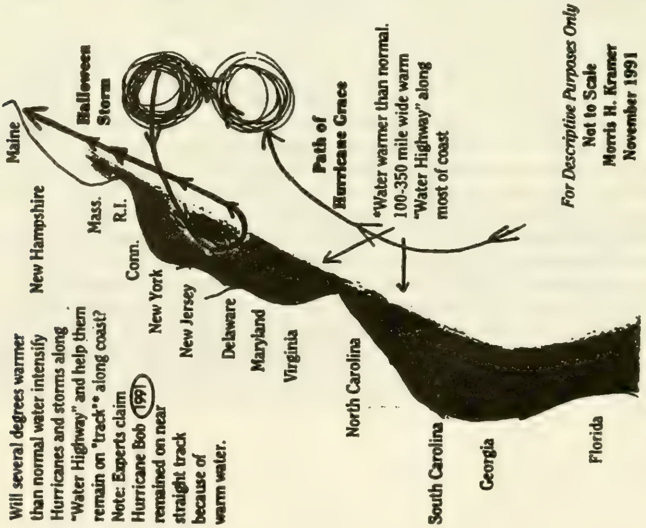
STATEMENT OF MORRIS H. KRAMER, PAGE FOUR CONTINUED

localities and States will be overwhelming. I can visualize a rash of municipal bankruptcies.

MUNICIPAL BONDS; THE CRIPPLE EFFECT: I apologize, but simply writing about this subject will now start a process whereby municipal bond issuers will follow the lead of property insurance companies and examine more carefully localities and States that can be ravaged by hurricanes. Interest rates to finance future bonds will rise, increasing government costs and also inflation. As hurricanes strike and cause considerable damage in one area, municipal bond availability will become scarcer, perhaps impossible to obtain in all such locales and States. This is guaranteed if President Clinton's efforts to abandon the Nation's infrastructure by ending shore protection succeeds. The Federal Government will have to become the guarantor of last resort for municipal bonds in these localities and States. But, will the Federal Government be in the position to do so?**

INTERMEDIARY INFLATION: Usually, after a disaster, there is an economic boom as reconstruction begins. It is not permanent. And a form of inflation begins. Example: Immediately after Florida's 1992 Hurricane Andrew, plywood prices went up. Fortunately, Home Depot raised prices only $2.00 per board and this Company's influence in the best interest of the needy and our country prevailed. This will not be the case when frequent hurricanes occur. The emphasis on reconstruction will hurt the national home building industry and also cause stagflation.

INSURANCE COMPANIES: After Hurricane Andrew, **whose main destruction was 10-15 miles inland,** property insurance companies began fleeing the coasts of coastal States. Reportedly, State Farm Insurance, our nation's largest insurance company stopped offering homeowners policies in Florida entirely. The insurance companies visualize the future, realize that they cannot cope with frequent major disasters, and that reinsurance companies will not be able to meet their needs. **Proof! Last year, insurance companies considered selling "ACT OF GOD" Bonds to pension funds to hedge against potential major hurricanes and other natural disaster losses. And, the insurance industry established the Catastrophic Risk Exchange, Inc. (CATEX) for insurance companies to swap their risks.** This means the Federal Government will have to become involved in covering extraordinary losses for insurance companies in addition to non insured losses. Currently, however, Congress has no interest in the proposed National Disaster Act. It will have to be enacted if President Clinton's abandonment of the Coast prevails.


Maine
New Hampshire
Mass.
R.I.
Conn.
New York
New Jersey
Delaware
Maryland
Virginia
North Carolina
South Carolina
Georgia
Florida
Halloween Storm
Path of Hurricane Grace
"Water warmer than normal. 100-350 mile wide warm "Water Highway" along most of coast
Will several degrees warmer than normal water intensify Hurricanes and storms along "Water Highway" and help them remain on "track"* along coast? Note: Experts claim Hurricane Bob (1991) remained on near straight track because of warm water.

For Descriptive Purposes Only
Not to Scale
Morris H. Kramer
November 1991

STATEMENT OF MORRIS H. KRAMER, PAGE FIVE CONTINUED

THE AMERICAN PEOPLES MANDATE:

A 1995 Newsday Editorial stated that 122 million Americans live in coastal communities. Census projections are that 60% of Americans will live within 50 miles of our coasts by the year 2000, about 162 million people. This is the American Peoples mandate. It is not something that is decided on a single day, Election Day. It is permanent, people invest everything they have in mortgages on homes, local schools, taxes, etc. They are saying that they want to live on or near the coast, have it for their use, etc.

COORDINATED FEDERAL EFFORT NECESSARY:

Coastal protection is not an issue for the States to handle by themselves. First they cannot afford the price. Also, for example, if Georgia in the interest of protecting itself, constructs a 2 mile long terminal jetty at its Northern border, it will prevent the natural flow of sand from going to South Carolina and seriously hurt that State. A coordinated effort via the U.S. Army Corps. of Engineers is required. The latter includes using new technology such as that developed by the Waste Management School at the State University of New York, Stony Brook , New York.

COST SHARING RATIOS SHOULD BE MAINTAINED:

Existing cost sharing ratios for Federal/State/local communities should be maintained. Anything less would mean that some States and localities would not participate because they could not afford it. Protecting our coasts is nationally significant.

COASTAL PROTECTION IS NATIONAL SECURITY:

Multi-billion dollar losses from hurricanes and Nor'easters will wreck the Federal budget and budgets of impacted States and local communities. This will also hurt the United States in global financial markets.

RECENT MAJOR HURRICANE FREQUENCY:

We have had three of this century's strongest hurricanes in the past 8 years. 1988 Category 5 Hurricane Gilbert brushed the Texas coast and severely damaged Mexico. 1989 Hurricane Hugo which damaged South Carolina. 1992 Hurricane Andrew was small enough to fit into the eye of Hurricane Hugo.

SUMMARY REQUEST:

Therefore, I respectfully request that Congress authorize the Corps. of Engineers approved project for Long Beach Barrier Island, Nassau County, Long Island, New York **AND** all other present and future approved Corps. of Engineers coastal projects in the pending and also future Water Resources Acts, because this is of national significance and is in the best interests of the United States. Thank You.

* Had 1985 Hurricane Gloria (Category 2 0r 3) struck Long Island at high tide, this scenario already would have happened. In the 1970's NWS Chief Meteorologist Harold Gibson predicted the collapse of oceanfront buildings if struck by a major hurricane.

** In the Spring of 1970, based upon information from two impeccable sources, I began a secret effort to protect the Country from a "liquidity crisis". An economic crisis. That July, Senator Jacob Javits repeatedly commented how close we came to another 1929. The Federal Reserve Board agreed to be the "Bank of Last Resort". It agreed several times afterward, but did not have to bail out the economy. If, Congress permits President Clinton and Vice President Gore to prevail, the resultant damage to our coast, way of life, economic system and federal budget, will force the Federal Reserve Board to act like the "Bank of Last Resort" once again, and to actually bail out the economy. The difference between 1970 and today is that the US was then the world's largest creditor nation, and now is the world's largest debtor nation. The Federal Reserve Board will have difficulty acting as the "Bank of Last Resort".

Mr. MYERS. Jane Ekstein, Executive Director of our Save Our Seashore.

Mr. KRAMER. She is not here. We had trouble with the Metro liner coming down this morning. Mine was an hour late. I don't know if that is the same case with her.

Mr. MYERS. Okay. Those things do happen. We had trouble on the bridges here in Washington.

TUESDAY, MARCH 5, 1996.

ARKANSAS RIVER BASIN PROJECTS

WITNESS

HON. JAY DICKEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARKANSAS

Mr. MYERS. Mr. Dickey, your group has left already, but if you would like to submit something right——

Mr. DICKEY. Could I get into the record?

Mr. MYERS. We will put you into the record.

Sit down there.

Mr. DICKEY. I had trouble with the planes.

Mr. MYERS. Everybody has got trouble, right here in the Capitol City.

Mr. DICKEY. I always have them, don't I?

Mr. Chairman——

Mr. BEVILL. We are going to hear the most important man today.

Mr. MYERS. What was that, Montgomery?

Mr. DICKEY. Come on, now come on.

Mr. MYERS. Your prepared statement will be placed in the record.

Mr. DICKEY. Thank you.

Mr. BEVILL. You notice he didn't argue with me.

Mr. DICKEY. I didn't. I can't. You are in a superior position.

I want to thank you.

Mr. MYERS. Mr. Gieringer did a real good job so don't destroy what his committee said—he pleaded a good case.

Mr. DICKEY. Good.

Mr. BEVILL. I believe his time is up now, isn't it?

Mr. MYERS. A long time ago.

Mr. DICKEY. If I may proceed.

Thank you, sir.

I appreciate the extra consideration you are giving me to allow me to speak about this. And the reason I am concerned so much, and I have said this before, this is my hometown that is affected, Pine Bluff, Arkansas. The Arkansas River I have grown up—I have seen it become a little thread to a raging force.

It has taken people—taken lives over time and now it is a very useful body of water, more so than I ever imagined. A lot of it is due to the efforts of Wally Gieringer and people like that, and Scott McGeorge, folks who have seen the vision. We are in a particular crisis right now, one because of the water level that you all have mentioned. Another is occurring that may not have been explained to you all and that is that we are having a merger of our railroads in our area. We have had the Cottonbelt Railroad and then it was the Southwestern—St. Louis-Southwestern and then Southern Pacific.

Southern Pacific is merging with Union Pacific and we are concerned about competition. We are concerned about competition with the railroads and with the—on the highways and the trucking and the waterways. And this particular risk that we have of not being able to bring our commodities and goods up the river and have them go down the river form, as you all know, this great expanse all the way up the Colorado, is risking our water compel rate argument and we are more concerned now than we have been before.

And I wanted to stress that fact, and also just tell you I think it is a very worthy project. I think it is something that has been—it has been on the books for many, many years, because of the authorization over the years, it has been just ignored. We are now at a time when we must have it.

And, again, I want to mention Montgomery Point Dam, the lock and dam at Montgomery Point, to this committee. You all have been wonderful in the past. You have been very considerate of our request and we would like for you all to keep helping us.

Mr. MYERS. A new request on Montgomery Point.

Mr. DICKEY. No, sir.

Thank you very much.

Mr. MYERS. Thank you.

Mr. DICKEY. May I be excused?

Mr. MYERS. Yes.

Mr. DICKEY. All right.

Mr. MYERS. Thank you.

Gurnie Gunter, President of MO–ARK.

TUESDAY, MARCH 5, 1996.

SHORE PROTECTION PROJECTS

WITNESS

GREGORY WOODELL, PRESIDENT, AMERICAN SHORE AND BEACH PRESERVATION ASSOCIATION

Mr. MYERS.

Is anyone else in the room going to testify this morning?

Would you like to come forward and present your testimony.

Your prepared statement will be placed in the record.

You may proceed for 5 minutes as you like.

Mr. WOODELL. Thank you very much, Chairman. My name is Gregory Woodell. I am President of the American Shore and Beach Preservation Association. I will be before you again tomorrow. I have been in previous years in connection with SEAMAC, so as not to confuse you.

Mr. MYERS. You just change hats.

Mr. WOODELL. There you go.

Beaches are a vital part of America's heritage from "sea to shining sea." As President of American Shore and Beach Preservation Association, I am speaking for the countless Americans who want America's beaches preserved and maintained for themselves and their children.

America's beach heritage is now at risk because the Federal Government threatens to walk away from its traditional role protecting American lives and property from hurricane and storm disasters. Ironically, loss of America's beaches is largely caused not by natural forces but Federal navigation, inland flood control and water supply projects.

For example, peer-reviewed studies by Professor Robert Dean show that 70, 85 percent of Florida's erosion is caused by Federal navigation jetties, interrupting natural longshore and sand flow, and also by dredged-material disposal beyond the littoral zone.

Other studies show that dams built for inland flood control and water supply in southern California have impounded the sand that naturally flows to the coast and maintains beaches. Similarly, Federal dams on the East Coast are impounding vast quantities of sand that would naturally maintain East Coast beaches.

Many people have heard that the tremendous erosion of problems of Egypt's Nile delta are caused by the high Aswan dam impounding the sand, but are unaware that Federal dams produce the same problems at a much larger rate in America. If the Federal Government successfully turns its back on the beach erosion problems it largely creates, I sadly predict that the court system will be inundated with lawsuits to force the Federal Government to mitigate erosion damage it produces.

Currently, most local and State governments and individuals are waiting to see whether the Federal Government is going to walk away from its obligations. A few lawsuits have been filed such as one recently in Brevard County, Florida. If these lawsuits are pressed and are successful, the Federal Government may face beach erosion problems alone without its current coastal State and local cost-sharing partners.

The Federal Government's threat to walk away from coastal flooding problems means that Federal assistance to reduce flood threats will be available to all Americans except those in coastal counties. Last year's administrative policy that would have eliminated Federal Government participation in all local flood control was at least an attempt to be evenhanded. This would mean, for example, that the Federal Government would participate in protecting New Orleans from rivering but not hurricane flooding. If a hurricane were to breach the flood defenses of New Orleans, clearly the problem would be of national significance.

More people have died in the United States from coastal hurricane flooding than any other natural disaster. When Hurricane Andrew devastated southern Florida, the flood protection projects at Miami Beach and Key Biscayne not only held but almost completely protected those areas from coastal flooding.

I would like to submit for the record some economic studies that show—no, I am going to skip that in time because I know you will read it.

The Federal Government must not walk away from America's beach erosion problems that it has largely created and must not discriminate against coastal States by supporting inlet but not coastal flood control and must not allow deterioration of beaches that are the largest factor in reducing America's trade deficit and generate more Federal tax revenues from foreign tourists alone than the government spends maintaining beaches. Those facts are backed up in my formal presentation.

I am confident that Congress will respond to the will of the American people and prevent implementation of the administration's ill-conceived policies. The administration needs to immediately withdraw its policy abandoning America's beaches. The American Shore and Beach Preservation Association would like to work with the administration and Congress in determining how to maintain the Federal Government's traditional commitments in this area of needed deficit reduction. I would like to pledge the support and participation of the American Shore and Beach Preservation in this process.

In closing, I would also like to thank you and your colleagues, on a personal note, for picking this career in government and for doing my bidding for me when I cannot in the governmental process.

And I would be wrong if I didn't, again, invite you to the California Golden State Reception this evening at 5:00, and we hope we can see you there as our guests.

Mr. MYERS. Thank you. I cannot.

I have a wife in the hospital and I have got to go visit her this evening.

Mr. WOODELL. All right.

Thank you.

Mr. MYERS. Appreciate your testimony.

We will see you again tomorrow. Thank you for your testimony.

[The statement of Mr. Woodell follows:]

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Dedicated to the preservation and development of Shore and Beaches

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March 1, 1996

Honorable John Myers, Chairman
Energy and Water Development Subcommittee
House Committee on Appropriations
2320 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Myers:

AMERICA'S COASTAL HERITAGE

Beaches are a vital part of America's heritage from "sea to shining sea." As President of the American Shore and Beach Preservation Association, I am speaking for countless Americans who want America's beaches preserved and maintained for themselves and their children.

America's beach heritage is now at risk because the Federal government threatens to walk away from its traditional role protecting American lives and property from hurricane and storm disaster. Ironically, loss of America's beaches is largely caused not by natural forces but by Federal navigation, inland flood-control, and water supply projects. For example, peer-reviewed studies by Professor Robert Dean show that 80-85 percent of Florida's erosion is caused by Federal navigation jetties interrupting natural longshore sand flow and also by dredged-material disposal beyond the littoral zone. Other studies show that dams built for inland-flood control and water supply in southern California have impounded the sand that naturally flows to the coast and maintains beaches, Similarly, Federal dams on the east coast are impounding vast quantities of sand that would naturally maintain east-coast beaches. Many people have heard that the tremendous erosion problems of Egypt's Nile delta are caused by the high Aswan dam impounding sand, but are unaware that Federal dams produce the same problem at a much larger scale here in America.

If the Federal government successfully turns its back on the beach-erosion problems it largely creates, I predict the court system will be inundated with lawsuits to force the Federal government to mitigate erosion damages it produces. Currently, most local and state governments and individuals are waiting to see whether the Federal government is going to walk away from its obligations. A few lawsuits have been filed such as one recently in Brevard County, Florida. If these suits are pressed and are successful, the Federal government may face beach-erosion problems alone without its current coastal state and local cost-sharing partners.

The Federal governments threat to walk away from coastal-flooding problems means that Federal assistance to reduce flood threats will be available to all Americans except those in coastal counties. Last year's Administration policy that would have eliminated Federal government participation in all "local" flood control was at least an attempt to be even handed. In contrast, the current policy eliminates Federal participation only for coastal flood control. This would mean, for example, that the Federal government would participate in protecting New Orleans from riverine but not hurricane flooding. If a hurricane were to breach the flood defenses of New Orleans, clearly the problem would be of national significance. More people have died in the United States from coastal hurricane flooding than any other natural disaster. When Hurricane Andrew devastated southern Florida, the flood-protection projects at Miami Beach and Key Biscayne not only held, but almost completely protected these areas from coastal flooding.

Had these Federal coastal flood-control projects not been in place, Federal emergency-relief costs would have been far greater than Federal expenditures for the projects. There is absolutely no rationale for protecting against inland and not coastal flooding. Flooding is flooding to the American people. The vast majority of American voters live in coastal states, and their needs for flood protection cannot be ignored.

I would like to submit for the record economic studies that show travel and tourism is the Nation's leading industry, employer, and earner of foreign revenue and beaches are the Nation's leading tourism destination with 85% of all tourist revenues in coastal states, Foreign tourists spend $80 billion dollars annually in the U.S. and are responsible for the largest trade surplus in America's overall trade deficit. Over 90 percent of foreign-tourist spending is in coastal states largely due to the attraction of beaches, **The Federal government receives about $4 billion annually in tax revenues just from foreign tourists. This is almost 200 times as much as the Federal government spends annually on beach-nourishment projects. In fact, Federal tax revenues just from the 2 million foreign tourists who visit Miami Beach each year are about 6 times greater than annual Federal government spending for all U.S. beach-nourishment projects.** In contrast, Spain is spending more on beach nourishment in 5 years than the U.S. has spent in the past 45 years. If America's beaches are not maintained, foreign tourists will go to foreign beaches that are maintained, and Federal tax revenues will suffer. The Federal government receives the majority of foreign-tourist tax revenues with local governments receiving just 14 percent of these tax revenues. Maintenance of beach infrastructure cannot be solely a local responsibility since local governments receive a minority of beach-tourist tax revenues.

The Federal government must not walk away from America's beach-erosion problems that it has largely created, must not discriminate against coastal states by supporting inland but not coastal-flood control, and must not allow deterioration of beaches that are the largest factor in reducing America's trade deficit and generate more Federal tax revenues from foreign tourists alone=e than the Federal government spends maintaining beaches. I am confident that Congress will respond to the will of the American people and prevent implementation of the Administration's ill-conceived policies. However, I have serious concerns that this process will be drawn out and in the mean time America's beaches will suffer and life and property will be put at risk by project delays. I fear the Corps of Engineers' infrastructure that supports shore-protection and coastal-flood projects will be eliminated. Will Corps of Engineer coastal experts be the first to be eliminated in the Corps' manpower cutbacks because the mission question is unresolved? Will Corps of Engineers' R&D to reduce costs and improve performance of shore-protection and coastal-flooding projects be eliminated? Will critical long-term measurements made by the Corps of coastal wave climate, hurricane surge, and beach nourishment be abandoned because the mission question is unresolved?

The Administration needs to immediately withdraw its policy abandoning America's beaches. The American Shore and Beach Preservation Association would like to work with the Administration and Congress in determining how to maintain the Federal government's traditional commitments in this era of needed deficit reduction. Equity in treatment of inland and coastal Americans has to be central in any policy. However, many issues can be explored such as changes in the Federal cost share, increased minimum benefit-cost ratios, and project prioritization. The strong rejection by Congress of proposed Administration mission changes was bipartisan. It is time the Administration works with Congress, state and local governments, and citizens groups to fairly and rationally determine how to maintain the Nation's beach heritage in a cost-effective way and protect coastal citizens from coastal-flooding disasters. I pledge the support and participation of the American Shore and Beach Preservation Association in this process.

Very truly yours,

Gregory Woodell
President

GW:hs
c: President William Jefferson Clinton
Senator Pete V. Domenici
Assistant Secretary of the Army H. Martin Lancaster

TUESDAY, MARCH 5, 1996.

MISSOURI PROTECTION PROJECTS

WITNESS

GURNIE GUNTER, PRESIDENT, MO–ARK

Mr. MYERS. Gurnie Gunter from the MO–ARK group.

Your prepared statements will be placed in the record, as usual. And you may proceed for the next 15 minutes as you would like.

Thank you.

Mr. GUNTER. Thank you, Mr. Chairman.

I am Gurnie Gunter, President of the Missouri-Arkansas River Basin Association, and on behalf of our association and its over 100 different member agencies, we would like to thank you, again, for giving us the opportunity to testify.

We have four of us with me—three others with me today and that's Charles Owsley, the Vice President of MO–ARK; Don Hurlbert, the Executive Director. And making our statement to the committee this morning is George Blackwood, who is Mayor Pro Tem of Kansas City. So the rest of us will sit silently and listen.

Mr. BLACKWOOD. Mr. Chairman, I am George Blackwood, Mayor Pro Tem and the Sixth District Councilman at Large of Kansas City, Missouri. I am pleased to have the opportunity to appear before you today, representing both the citizens of Kansas City and the Missouri-Arkansas River Basins Association, or MO–ARK, in support of flood control projects that are vital to metropolitan Kansas City.

The metropolitan Kansas City area is presently receiving Federal funding for five very important flood control projects. These vital projects are the key to a continued revitalization to several of our flood-prone industrial and commercial centers.

These projects are: No. 1, Blue River Channel improvement, which is a 12-mile long construction; the Upper Blue River-Dodson area, authorization of preconstruction engineering and design; Turkey Creek Basin, complete the feasibility study; the Blue River-Swope Park Industrial Area, begin the feasibility study; and the Levy 385 Riverside-Quindaro Bend District, beginning construction.

A review of the flooding that has occurred in the past, coupled with the obvious reduction of flood damage generated by the completion of the Brush Creek Channel and the partial completion of the Blue River Channel, encourages us to ask for your continued support of these vital projects.

It is clear that but for the Brush Creek Project that was virtually completed last summer, it would have been another summer that we would not have liked in Kansas City, Missouri. The 12-mile long Blue River Channel Project has been under way for over 13 years. Construction is under way on another vital segment of this project which runs through one of our most important industrial areas. The project will be about 45 percent complete when this contract is finished.

Three additional construction contracts will be awarded on approximately 2-year intervals, with project completion scheduled in the year 2002. To date, the city has spent in excess of $24 million on its share of the project and is prepared to provide its share of all future costs estimated to be another $9 million. Federal funding of $14 million will be required in fiscal year 1997 to ensure continued construction.

The feasibility study for the Upper Blue River-Dodson has been completed with a favorable cost/benefit ratio and forwarded to Washington for authorization of preconstruction, engineering and design. This project will provide flood projection for the Dodson Industrial District. I might say it is an area that is in my council district, so I am particularly interested in that project.

Kansas City is prepared to become the local sponsor and fund its share of the project upon approval. Federal funding of $950,000 will be required for preconstruction, engineering and design.

The Turkey Creek Basin Feasibility Study is under way in Kansas City, Missouri and Kansas City, Kansas. This Bi-State Drainage Basin undergoes frequent flooding from two separate sources. Due to the complex problems presented by this dual flood threat, the study will not be completed until late 1996. We would urge you to provide additional funding to complete this study and move it forward for authorization.

A repeat of the flood event of July 1993 will lead to abandonment of the area and loss of a portion of the vital industrial and commercial base of the metropolitan area. Federal funding of $250,000 will be required and both Kansas cities, Kansas and Missouri, are prepared to fund the local match.

The reconnaissance study of the Swope Park Industrial Area Study was completed in February 1996, and recommends Federal interest in feasibility investigation. This small commercial industrial area adjacent to the Blue River, just downstream of Dodson, is a valuable part of our industrial base. We ask that you support continued funding and study of this area. Federal funding of $500,000 will be required to proceed with a feasibility study, and Kansas City is once again prepared to become the local sponsor and fund the local match.

Riverside-Quindaro Levee, the Riverside is a small river community of over 3,000 people lying across the Missouri River from Kansas City, Kansas, and adjacent to Kansas City, Missouri. It has been ravaged by severe floods over many years. This was recognized by the Flood Protection Act of 1944.

One of the last levees to be built by that authorization, it awaits the sponsor's signature on the local cooperation agreement. Such works were authorized by Congress upon the commitment by the sponsoring agency of 25 percent of the cost of the project. The estimated cost of this levee is as much as $56 million. The sponsor's share would be $14 million under the original formula.

The Corps of Engineers has now changed the sponsor's share to 48 percent or $26,800,000, while most other sponsors have had to pay only 25 percent for levee projects under this authorization.

MO–ARK requests the Federal Government honor their original commitment of 25 percent sponsor cost-share. This is not the time to change horses. Finish the authorized work first, then seek new financing strategies.

We must protest this treatment of this community. We question the authority of the Corps in this regard. It would appear to violate the underlying premise of the Flood Protection Act of 1944.

The recent 1993 floods cost the Federal Government $20 million. In addition, State and local government costs totaled $3 million. We suggest there is more to lose by the Federal Government than by State and local governments should another flood of the 1993 magnitude occur.

The Levee District and the City of Riverside have explored all options open to fund the project and have reached the decision that it cannot happen under the 48 percent requested funding. Since inflation can only cause construction costs to increase as long as the project is not started, we urge the Congress to request the Corps of Engineers to start the project with the local cooperating agreement under 25 percent requirement of the sponsor as most other levee projects have been accomplished.

In addition to these projects, there are two other items of great concern to Kansas City. During the great flood of 1993, we observed flood elevations well into the design freeboard on levees and floodwalls on both the Kansas and Missouri Rivers that were built to provide protection from a 500-year flood.

The day that it peaked, I was at our downtown airport and observed the water and the Missouri River within inches of the top of that levee, literally inches. Kansas City is concerned that this level of protection no longer exists due to urbanization of upstream areas. Therefore, we would request that funding be provided to investigate the current level of protection provided by the existing flood control system in the Kansas City metropolitan area.

The Army Corps of Engineers has adopted its annual operating plan for the Missouri River. It approaches the preferred alternative that was rejected by the public and consequently by the Congress last year. The Corps was supposed to restudy and develop a new EIS for the Water Master Control Manual over the next 2 years. Instead, the Corps has administratively implemented most of the dreaded features of the PA in adopting the annual operating plan. This plan is a reallocation of water, outside the Corps' authority, without compliance with the National Environmental Protection Act.

It includes early spring releases, lower summer releases, a higher level of storage, all of which will result in a reduced navigation season. The plan does not represent the best interests of the Midwestern economy. MO–ARK is opposed to such unilateral action by the Corps. The impact can be devastating to the farmers in the States below the Garrison Dam. It has no proven quantified benefit to others.

In closing, Kansas City and MO–ARK appreciate your past assistance on these projects and urge your continued support by providing full funding, as requested.

Thank you.

[The statements of Mr. Gunter and Mr. Blackwood follow:]

MO-ARK

THE MISSOURI-ARKANSAS RIVER BASINS ASSOCIATION
SERVING THE MISSOURI RIVER VALLEY FOR
WATER SUPPLY, FLOOD CONTROL, SHIPPERS AND OPERATORS

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
COMMITTEE ON APPROPRIATIONS
ENERGY & WATER RESOURCES SUBCOMMITTE

Hearing of March 5, 1996

MO-ARK Association Delegation: 11:30 AM

Witness List:

Gurnie Gunter, President
Director of Water Services, Kansas City, Missouri

Charles Owsley, Vice President
City Engineer, Kansas City, Missouri

George Blackwood, Member
Mayor Pro Tem, Kansas City, Missouri

Don Hurlbert, Executive Director
Retired City Engineer, Kansas City, Missouri

P.O. BOX 35024 KANSAS CITY, MISSOURI 64134 ◆ VOICE MAIL / FAX (816)331-4475

MO-ARK

THE MISSOURI-ARKANSAS RIVER BASINS ASSOCIATION
SERVING THE MISSOURI RIVER VALLEY FOR
WATER SUPPLY, FLOOD CONTROL, SHIPPERS AND OPERATORS

March 5, 1996

Honorable John Myers, Chairman
Subcommittee on Energy and Water Development
House of Representatives
Washington, DC 20515-6015

Hon. Myers,

The Missouri-Arkansas River Basin Association requests your support in the 1997 Federal Budget for the following Flood Control Projects:

	Federal $ Millions
1. Blue River Channel Improvement(12 mile long)	14.00
☐ Construction	
2. Upper Blue River - Dodson area	0.95
☐ Authorization of P. E. & D.	
3. Turkey Creek Basin	0.25
☐ Complete Feasibility Study	
4. Blue River - Swope Park Industrial Area	0.50
☐ Begin Feasibility Study	
5. L385 - Riverside-Quindaro Bend District	42.00
☐ Begin Construction	
Total request for FY '97	$ 57.70

This concludes the summary of our request. The delegation will give further insight into the basis for our request.

Respectfully Yours,

Gurnie Gunter, President

P.O. BOX 35024 KANSAS CITY, MISSOURI 64134 ◆ VOICE MAIL / FAX (816)331-4475

STATEMENT TO THE HOUSE OF REPRESENTATIVES
COMMITTEE ON APPROPRIATIONS
WASHINGTON, D.C.
SUBCOMMITTEE ON ENERGY AND WATER DEPARTMENT
CONGRESSMAN JOHN T. MEYERS, CHAIRMAN
MARCH 1996

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I am George Blackwood, Mayor Pro Tem of Kansas City, Missouri. I am pleased to have the opportunity to appear before you today representing both the citizens of Kansas City, and the Missouri-Arkansas River Basins Association (MO-ARK) in support of flood control projects that are vital to metropolitan Kansas City.

The metropolitan Kansas City area is presently receiving federal funding for five very important flood control projects. These vital projects are the key to a continued revitalization of several of our flood-prone industrial and commercial centers. These projects are:

1. Blue River Channel Improvement (12 mile long) ---Construction

2. Upper Blue River-Dodson Area --- Authorization of P.E.&D.

3. Turkey Creek Basin --- Complete Feasibility Study

4. Blue River-Swope Park Industrial Area --- Begin Feasibility Study

5. L385-Riverside-Quindaro Bend District --- Begin Construction.

A review of the flooding that has occurred in the past, coupled with the obvious reduction of flood damage generated by the completion of the Brush Creek channel and the partial completion of the Blue River channel, encourages us to ask for your continued support of these vital projects.

Blue River Channel Improvement:

The twelve-mile long Blue River channel project has been underway for over thirteen years. Construction is underway on another vital segment of this project which runs through one of our most important industrial areas. The project will be about 45% complete when this contract is finished. Three additional construction contracts will be awarded on approximately two-year intervals with project completion scheduled in year 2002. To date, the City has spent in excess of $24 Million on its share of the project, and is prepared to provide its share of all future costs estimated to be another $9 Million. Federal funding of $14 Million will be required in FY '97 to ensure continued construction.

Upper Blue River-Dodson Area

The feasibility study for the Upper Blue River (Dodson) has been completed with a favorable cost/benefit ratio and forwarded to Washington for authorization of pre-construction, engineering and design. This project will provide flood protection for the Dodson industrial district. Kansas City is prepared to become the local sponsor and fund its share of the project approval. Federal funding of $950,000 will be required for preconstruction, engineering and design.

Turkey Creek Basin

The Turkey Creek basin feasibility study is underway in Kansas City, Missouri, and Kansas City, Kansas. This bi-state drainage basin undergoes frequent flooding from two separate sources. Due to the complex problems presented by this dual flood threat, the study will not be completed until late 1996. We would urge you to provide additional funding to complete this study and move it forward for authorization. A repeat of the flood event of July 1993 will lead to abandonment of the area and loss of a portion of the vital industrial and commercial base of the metropolitan area. Federal funding of the $250,000 will be required and Kansas City is prepared to fund the local match.

Blue River-Swope Park Industrial District

The reconnaissance study of the Swope Park industrial area study was completed in February 1996 and recommends federal interest in feasibility investigation. This small commercial/industrial area adjacent to the Blue River just downstream of Dodson is a valuable part of our industrial base. We ask that you support continued funding and study of this area. Federal funding of $500,000 will be required to proceed with a feasibility study and Kansas City is prepared to become the local sponsor and fund the local match.

Riverside-Quindaro Levee

Riverside is a small river community of over 3,000 people, lying across the Missouri River from Kansas City, Kansas, and adjacent to Kansas City, Missouri. It has been ravaged by severe floods over many years. This was recognized by the Flood Protection Act of 1944. One of the last levees to be built by that authorization, it awaits the sponsor's signature on the Local Cooperative Agreement (LCA). Such works were authorized by Congress upon the commitment by the sponsoring agency of 25% of the cost of the project. The estimated cost of this levee is as much as $56.0 Million, the sponsor's share would be $14.0 Million under the original formula.

The Corps of Engineers has now arbitrarily changed the sponsor's share to 48%, or $26,800,000, while most other sponsors have had to pay only 25%, for levee projects under this authorization. MO-ARK requests the federal government honor their original commitment of 25% sponsor cost share. this is not the time to changes horses. Finish the authorized work first, then seek new financing strategies. We must protest this treatment of this community. We question the Corps authority to do so and feel it violates the underlying premise of the Flood Protection Act of 1944.

The recent 1993 floods cost the federal government $20.0 Million in this area. In addition, state and local government costs totaled $3.0 Million. We suggest there is more to lose by the federal government than by state and local government should another flood of the 1993 magnitude occur.

The Levee District and the City of Riverside have explored all options open to fund the project, and have reached the decision that it cannot happen under the 48% requested funding. Since inflation can only cause construction costs to increase as long as the project is not started, we urge the Congress to request the Corps of Engineers to start the project with an LCA of 25% requirement of the sponsor as most other levee projects have been accomplished.

In addition to these projects, there are two other items of great concern to Kansas City.

Levee and Floodwall Level of Protection

During the great flood of 1993, we observed flood elevations well into the design freeboard on levees and floodwalls on both the Kansas and Missouri Rivers that were built to provide protection from a 500-year flood. Kansas City is concerned that this level of protection no longer exists due to urbanization of upstream areas. Therefore, we request that funding be provided to investigate the current level of protection provided by the existing flood control system in the Kansas City metropolitan area.

Annual Operating Plan

The Army Corps of Engineers has adopted its annual Operating Plan for the Missouri River. It approaches the "Preferred Alternative" that was rejected by the public and consequently by the Congress last year. The Corps was supposed to restudy and develop a new EIS for the Water Master Control Manual over the next two years. Instead the Corps has administratively implemented most of the dreaded features of the P.A. in adopting the Annual Operating Plan. This plan is a reallocation of water, outside of the Corps authority, without compliance with NEPA.

It includes early spring releases, lower summer releases, a higher level of storage; all of which will result in reduced navigation season. The plan [redacted] does not represent the best interests of Midwestern Economy. MO-ARK is opposed to such unilateral action by the Corps. The impact can be devastating to the farmers in the States below the Garrison Dam. It has no proven quantified benefit to others.

In closing, Kansas City and MO-ARK appreciate your past assistance on these projects and urges your continued support by providing full funding as requested.

Mr. MYERS. Does anyone else have statements?

Mr. HURLBERT. I don't think so. I think he said it very well.

Mr. MYERS. Thank you very much for your very fine testimony. The committee has visited the Kansas City area and shortly after the floods, all the tremendous potential there, there was some damage, of course, but at least it wasn't extensive.

Mr. BLACKWOOD. Not like it would have been.

Mr. MYERS. That is right. They were very fortunate.

Mr. BLACKWOOD. Very fortunate.

Mr. MYERS. We visited it.

TUESDAY, MARCH 5, 1996.

SHORE PROTECTION PROJECTS

WITNESS

JANE EKSTEIN, EXECUTIVE DIRECTOR, SAVE OUR SEASHORE

Mr. MYERS. Jane Ekstein, Executive Director of Save Our Seashore.

We introduced you a moment ago and I understand you had some train problems.

Ms. EKSTEIN. Right. Actually, I will try to get rid of the deer-in-the-headlights look that I have at the moment.

Mr. MYERS. Your prepared statement will appear in the record. You may proceed for 5 minutes, as you like.

Ms. EKSTEIN. Thank you so much.

INTRODUCTION OF BREITWIESER FAMILY

Mr. MYERS. I see we have some young constituents here.

Would you introduce yourselves and where you are from—the young ladies.

Ms. REID. Sure. Do you guys want to introduce yourselves?

This is Jayne Breitwieser and Katy Breitwieser. They are off today, and we are doing this is "How Laws are Made" field trip.

Mr. MYERS. You are from Maryland?

Ms. REID. I am from Maryland and work in the D.C. area. I took a day off, and we are seeing how it is done, and we are voting, and doing the whole thing.

Mr. MYERS. Well, thank you for sharing your husband, Jude Breitwieser, with us, and their father.

Ms. REID. Then we are having lunch with Dad.

Mr. MYERS. Well, we are pleased to have you with us today, and we appreciate the assistance your husband has been providing during these hearings.

Now Ms. Ekstein, you still have 5 minutes.

Ms. EKSTEIN. Thank you so much.

Mr. Chairman, I am in fact, Jane Ekstein, Executive Director of Save Our Seashore, and I do appreciate the opportunity to testify on behalf of SOS today before the subcommittee.

I will highlight for you the written statement I have prepared and ask that the entire statement be placed in the record in the interest of time.

Historically, as we all know, the costs of coastal preservation projects had been shared by State, Federal and local government. Last winter, the Clinton administration proposed to drastically change the role of the U.S. Army Corps of Engineers and a general outcry was heard throughout the country, including from Congress, where the policy was repudiated. Unfortunately, as we all know, one year later the administration is continuing to put this policy into effect, at least in New York State, and we are feeling the impact of that.

What we find in the State of New York is a seemingly absence of a continuing Federal commitment to funding these critical coastal preservation projects. And what happens in New York, and I am sure in many other States, in domino fashion, the State, once it is unable to secure a commitment from the Federal Government, becomes more reluctant to commit its funds and this then moves down into the local levels. So those of us that are involved in coastal advocacy can only watch and wait for the next disaster to occur while seemingly there is no mechanism in place to move critical projects along.

SOS believes strongly that preserving our coastline is in the national interest. And beyond the obvious benefits of flood protection, environmental protection and economic protection, there are specific issues in New York that relate to specific areas of the coast. In New York, our coastline is varied. And what we have done for your staffs is we have provided a copy of the book that I have here today, which gives you in pictorial form our geography and some of the impacts that we see of flood and storm damage.

So I will be reviewing a couple of pages from the book but the full book is available to your staffs.

Now, in New York, there are just five areas that I would like to briefly highlight. The first would be the Westhampton Dunes area and point out that typically what has happened is in January of 1993, after a major storm, a small breach opened up in our barrier island. Because of lack of policy mechanisms to react quickly in a few short months, something which was able to be jumped across and might have cost $50,000 worth of sand in a dump truck turned into something three-quarters of a mile wide, 20 feet deep and cost over $10 million to repair. We would suggest that this is not an efficient use of funds and we do not advocate wasting anybody's money in any State at anytime but suggest that $150,000 is a better expenditure than $10 million.

Beyond that, from Fire Island Inlet to Long Island Point on Long Island's south shore, there was a study authorized in the Rivers and Harbors Act of 1960. Since that time, nothing has happened to move that project to completion.

There are over 500,000 people who live and work in the study area and in the 35 years since 1960 the barrier island system has continued to deteriorate, placing them each year in more and more danger. We would suggest that 35 years is a little long to wait for help to occur and certainly hope that the study to evaluate this section of our coastline could be moved along.

As far as Fire Island itself is concerned, that is a 32-mile stretch of that particular barrier island system and it is the most endangered on our coastline at this time. It is an interesting situation on

Fire Island because it falls under the jurisdiction of State, Federal and local interests.

We have great reaches of the Fire Island National Seashore as well as State parks, county parks and small communities. We believe that because of the vast stretch of Fire Island National Seashore, that at the very least the Federal Government has a responsibility to protect the lands under its stewardship, especially when not protecting those lands would have a tremendously adverse impact on people down drift of the location, as well as people who live on our South Shore Floodplain less than 3 miles away. The barrier islands in New York are unlike some others like in North Carolina where the Outer Banks are quite a bit further away.

Any time we have officials up to see it, they are quite surprised to look over and see that the mainland with its 6 million residents is so close by the barrier island system. What has happened as a practical matter is it has continued to deteriorate. And I would simply point out that beyond the issues of houses, that this summer, where we had a large and wide beach at the Smith Point area, after the blizzard—and this is a little hard to see, but you can look at the book later on—the beach is gone. The blue is the fishing pier, and that is the end of that.

Beyond that, in our State, Long Beach is another area that we would like to talk about. There are 55,000 people in Long Beach that live on the barrier island, from which there are only two egress points, one of which is itself subject to flooding. The Corps recommended that a project be done there but declined to construct based on administration policy. We would certainly hope that that project can be moved along and protect the 55,000 people that live on that particular stretch of barrier island.

Finally, on Coney Island, where a 50-year plan is in place, we would like to suggest that since 2 million people a day swim at those beaches, and they are true public beaches, that that project is due and just and belongs in process. So as you can see, our coast ranges from the pristine to the highly populated.

We think that the Federal Government should take responsibility for the preservation and protection of our coastlines. Recent scientific studies show that about 63 percent of the eroding coastlines—I am actually there—63 percent of our eroding coastlines are eroding because of up-drift and inlet maintenance, which is something I, frankly, just recently learned and was shocked to know.

When we maintain inlets for navigational purposes, I think that there is then a responsibility to mediate the impact of that maintenance on down-drift areas by doing things like bypassing sand-strewn inlets and such, which just only makes sense. We think it is in the common interest to preserve and protect our coast for the 40 percent of our population that reside near the coast, to protect the seashore itself. It is the number one destination of the Nation's number one industry, which is tourism, and we simply urge you to take a proactive approach.

So I guess if I hear a bell, I will be glad to answer any questions.a

Mr. **MYERS**. Well, thank you very much for your testimony.

The committee has visited Fire Island and is aware of the problem there. But we have many problems finding money to do all of these programs.

So thank you very much for your testimony.

[The statement of Ms. Ekstein follows:]

SAVE OUR SEASHORE

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Jane Ekstein, *Executive Director* Judith P. Rich, *Associate Director*

Testimony by Jane Ekstein, Executive Director, Save Our Seashore, Before the U.S. House of Representatives Committee on Appropriations Sub-committee on Energy and Water Development. Hon. John T. Myers, Chairman

March 5, 1996

Mr. Chairman, I am Jane Ekstein, Executive Director of Save Our Seashore, Inc. (SOS). I appreciate the opportunity to testify on behalf of SOS today before the Subcommittee on Energy and Water Development of the House Committee on Appropriations. I am going to highlight for you the written statement I have prepared and ask that the entire statement also be included in today's hearing record.

Save Our Seashore, Inc. is a nonprofit, nonpartisan, public advocacy organization based on Long Island. Our membership is a coalition of public officials, towns and villages, civic and home-owner groups, schools, hospitals, businesses, and private citizens that reaches from Montauk to Coney Island and across Westchester. The mission of Save Our Seashore is to create a unified voice for responsible coastal policy along NYS's Atlantic seaboard and to preserve precious coastal resources.

NYS's Atlantic coastline is important to all of us who live, work, and play there. Located in one of the most densely populated regions of the United States, it supports significant commercial interests— from tourism (millions of vacationers annually flock to its beaches) to fishing, to small local businesses. More importantly, the south shore barrier island system is Long Island's first line of defense. The barrier beaches and dunes provide flood protection for dozens of back bay communities, hundreds of millions of dollars of mainland infrastructure and property, major fishing and recreational areas, and a vast estuary system. An irreplaceable natural resource, the barrier islands are also the site of the Fire Island National Seashore, New York's only federal wilderness area. Projects to protect this important eco-system have high benefit to cost ratios. They make economic sense.

Historically, the costs of coastal preservation projects have been shared by federal, state, and local governments. Last winter, when the Clinton administration proposed to drastically change the role of the U.S. Army Corps of Engineers ("Corps") — in the areas of hurricane protection, storm damage control, flood control, shoreline erosion control, and navigational maintenance, a general outcry of

SAVE OUR SEASHORE, INC. is a nonprofit, grass roots coalition concerned with the economic and ecological consequences of coastal erosion along New York State's Atlantic coastline. Our broad constituency includes elected officials, towns and villages, civic and home owners organizations, media groups, schools, hospitals, businesses, and private citizens.

protest could be heard across the country. Many in Congress went on record calling the policy ill-advised and short sighted. Yet, one year later, we find the Administration is continuing to put this policy into practice. The Administration is continuing to put this policy into practice, thereby forcing Congress to deal with coastal projects inefficiently, on a one by one basis.

In the absence of a continuing federal commitment to coastal protection, state government is finding it difficult to proceed with critical projects. And, in domino fashion, once the state is unable to commit, local governments are also unable to act. Those involved in coastal advocacy can only watch and wait for the next disaster to strike.

The impact — both short and long-term — that these policy changes in the Corps' role would have on New York State's coastal areas is grave indeed. I would like to offer a few representative examples of what we might expect.

Consequences of Proposals by the Administration to Cut Funding for Storm Damage Control, Flood Control, and Coastal Protection Programs.

The proposal to remove the Corps from any project without "national significance would potentially end coastal navigational and inlet maintenance along Long Island's South Shore. As a result some inlets would shoal in and close. New inlets would open at unknown locations. Disaster preparedness personnel would be at a loss to effectively protect the population. Infrastructure and property would be at risk. Business and industry based at currently existing inlets would be displaced.

Under the administration's current policy, the Corps would be precluded from participation in a majority of projects for hurricane protection, flood control, storm damage control, and shoreline erosion control. There would be no further replenishment projects at the Rockaways, Point Lookout, Long Beach, the north shore of Long Island, and Staten Island. These densely populated areas would be left vulnerable to flooding. The local economy would suffer enormous losses. In the case of Long Beach, a city of 55,000 citizens would remain in harms way. In Rockaway, more than 300,000 people would be impacted.

On eastern Long Island, a long-awaited "Reformulation Study" of the coast, from Fire Island Inlet to Montauk Point, first recommended in 1960, might be completed. But without Corps participation, implementation of the resultant management plan could not occur without hard fought, year-by-year, project by project appropriations. Funding multi-year projects and forging long-term partnerships with state and local government would be almost impossible. Without a proactive federal commitment, the large scale management plan for this 83 mile stretch of shoreline would never become a reality. An "interim" project to nourish Fire Island, the 32 - mile-long stretch of the barrier, would be in jeopardy. Although erosion on the island can bepartially traced to updrift inlet maintenance and an incomplete groin field, the barrier, along with the wetlands, bays, and mainland which it protects, would remain endangered. (The "interim" project is work of an emergency nature that is to be done while the larger Reformulation Study is being completed. The mainland of Long Island would be more susceptible to increased damage from high frequency storms such as Nor'easters.) The potential for catastrophic loss from hurricanes and other less frequent storms could rise ten-fold.

Business investments, public infrastructure, the environment, property, and lives would be in jeopardy. At Westhampton Beach, an "interim" Corps project which would bring a 44-year level of protection to the area, would be built *but* there would be no further work to either maintain the project or re-evaluate the area for a more comprehensive level of protection long term.

The Corps would also be prohibited from future participation in small projects for flood control, navigation, emergency stream bank erosion, and beach erosion control.

Finally, the major costs of flood protection programs, currently administered by the Corpswould be shifted back to the states, something which state and local governments can clearly not afford. Corps expertise would no longer be available to local government. In New York State, projects at Shelter Island, Oakwood Beach (Staten Island), and Rikers Island in all likelihood would never be built. Without these projects which provide for emergency access, there would be significant threat to life and property.

Preserving the Coastline is in the National Interest.

Beyond the obvious benefits common to all parts of the coast — flood protection, environmental protection, and economic protection, specific issues relate to specific areas of the shore. In my state — New York — the compelling arguments for coastal preservation are as varied as the shore itself. Here are five representative locations and the supporting rationale:

- **Westhampton Dunes**

Losses due to erosion are a direct result of an incomplete beach stabilization project undertaken by federal, state, and local governments. Where government action causes harm to coastal resources, government must bear the responsibility for mediation.

- **Fire Island Inlet to Montauk Point**

There are 500,000 citizens who live and work in the study area. They are in harm's way. The Fire Island to Montauk Point Study was initially authorized in 1960. We suggest that 35+ years is too long to wait for its completion.

- **Fire Island**

Fire Island, an integral part of Long Island's barrier island system, is the single most endangered location along the Atlantic seaboard. The Fire Island "Interim Nourishment Project" must be fast-tracked. There are a number of reasons; I'll focus on one. Fire Island falls under the jurisdiction of federal, state, and local government. The federal government has a responsibility to care for land under its stewardship — the Fire Island National Seashore — especially when failing to do so will adversely impact citizens of downdrift communities. Local communities — which comprise less than 20% of the land area — have shown their willingness to bear a disproportionate share of the cost of a nourishment project. Rather than seek "special interest" treatment, the communities are looking instead for a partnership with the federal government.

• Long Beach
The Long Beach nourishment project must be funded. The City of Long Beach is made up of 55,000 middle class citizens. Situated on a barrier island between two inlets, Long Beach has only two egress points — one of which is itself subject to flooding. The Corps deemed a nourishment project worthy, but adhering to administration policy, declined to construct. There is at this time no other mechanism in place which would allow for the construction of this $69.0 million project.

• Coney Island
On a hot summer's day up to two million citizens swim at Coney Island. As "peoples" beaches they merit national attention. It is proper that a 50 - year plan is in place to maintain these beaches.

The Federal Government Should Take Responsibility for the Preservation and Protection of Our Nation's Coastlines.

It has been shown that some 63% of our shores are eroding as a result of up-drift inlet maintenance. Many of these inlets which are dredged and stabilized for navigational purposes, are administered under federal auspices.

If the administration's position regarding the role of the Corps remains in force, the policy must be refined. At the very least, what is required is a re-evaluation of what *is* in the national interest. Is it not in our *common* interest to preserve and protect:

- The lives and livelihoods of the 40% of the population who reside along or near our coasts.
- The seashore — the number one destination of the nation's number one industry: tourism.

Preserve Our Natural Resources and the Lives and Livelihoods of Our Citizens.

Save Our Seashore urges you to prevent the scenarios I have described from becoming a reality. Insist that the federal government take a proactive approach to shore protection. Until the administration policy is re-defined, insure that monies are appropriated to fund coastal preservation The costs of waiting for disaster to strike before reacting are far too great. The Federal Emergency Management Agency will certainly attest to that.

If we abandon our coastline there will be no winners. We will simply be poorer both economically and ecologically, having squandered one of our most precious and irreplaceable resources.

I would be pleased to respond to any questions you and your colleagues may have.

TUESDAY, MARCH 5, 1996.

INDIANA PROJECTS

WITNESS

HON. PETER J. VISCLOSKY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF INDIANA

Mr. MYERS. Our colleague, Pete Visclosky from Indiana.

Your prepared statement will appear in the record, and you may proceed for the next 5 minutes as you like.

Mr. VISCLOSKY. I appreciate that, Mr. Chairman.

I must advise the Chair this is a very sad day in my life. I will miss you, and I will also miss Mr. Bevill, and I would want that to be clearly noted in the record.

Mr. MYERS. Thank you.

Mr. VISCLOSKY. I have now either as a member of the congressional staff or a Member of this body been dealing with the subcommittee since 1977. And I am very sincere in saying that your retirement, as well as Mr. Bevill's, will be a great loss to the country, this institution, this subcommittee. Both of you have been classic gentlemen, and for that I thank you very much.

Mr. MYERS. Thank you for the nice words. I will tell Tom.

Mr. VISCLOSKY. Mr. Chairman, as you indicated, I will have my statement entered into the record and would simply want to highlight two of the projects that I would request before the committee.

First, I would like to request your support for the Indiana Shoreline Erosion Project. I am requesting $5.5 million for fiscal year 1997 construction funds to complete the initial nourishment phase of the project.

Although this project was authorized under the 1986 Water Resources and Development Act, I only began to seek funding for it last year, when it became clear that without congressional intervention, the Corps would never undertake the project. Inaction would have resulted in the loss of the far-eastern dunes at the Indiana Dunes National Lakeshore.

The Army Corps of Engineers caused the erosion problem at the Indiana Dunes, and so I believe the Corps has a responsibility to rectify the problem. The Corps' structure at the Michigan City Harbor intercepts material in Lake Michigan waters that would otherwise replenish the Indiana Dune's shoreline. As a result, the dune bluff, especially at Mount Baldy, has suffered catastrophic erosion. Shoreline rescission rates have averaged 10 feet per year. In years when lake levels are high, the combined effect can cause erosion of up to 30 feet.

Last year's appropriation of $1.5 million will finance the placement of approximately 83,000 tons of beach material at the site this year. In addition, the funds will allow the proposed baseline monitoring program to be completed. It is imperative that the Corps continue the construction of this project.

I also seek bill language to get the Army Corps moving on the Lake George Fish and Wildlife Restoration Project in Hobart, Indiana, and an appropriation of $260,000 to allow for completion of the design memorandum and to perform plans and specifications for the project. Despite the Corps' claims that the Lake George

Project demonstrates a Federal interest based upon the project's recreation values, there has been little movement on the project in recent years.

The purpose of the project is to restore the quality of Lake George by removing an unquantified amount of silt, aquatic growth and other materials that have accumulated in the lake. The project includes flood control, environmental enhancement, and recreation for an area that comprises 282 acres of Lake George, Turkey Creek and Deep River in the vicinity of Hobart and upstream to Lake Station, Indiana.

Mr. Chairman, again, I appreciate your courtesy in allowing me to testify, make my request and wish you all the best in your life.

[The statement of Mr. Visclosky follows:]

PETER J. VISCLOSKY
1ST DISTRICT INDIANA

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EXECUTIVE COMMITTEE CHAIRMAN
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Statement of Representative Pete Visclosky
before the
Appropriations Subcommittee on Energy and Water

March 5, 1996

MR. CHAIRMAN, Thank you. And thank you, Mr. Bevill.

It is hard to believe you will both be retiring at the end of this term. For the past 30 years, you have been considered among the most civil gentlemen in the House of Representatives. Each of you has dedicated a lifetime of service to this institution, and you will both be greatly missed.

Mr. Bevill, during the 17 years you chaired this subcommittee, you brought to Congress and the Appropriations Committee the rare ability to find common ground among all parties and reach compromises for the good of all Americans. Mr. Myers, as Chairman during this past, and most difficult year, you shepherded the FY 1996 Energy and Water Appropriations bill through Congress with ease. That your bill was one of the few signed into law, is a testament to your leadership.

The people of Northwest Indiana hold each of you in the highest regard. You have increased our livelihood by maintaining ports that receive the iron ore we use to make our steel. You have supported our flood control projects which save lives and our property. You protected our shoreline and supported programs to safeguard us from contaminated sediments. The legacy of your works will be remembered long after your return to private life.

Northwestern Indiana is home to nine Army Corps of Engineers' erosion, harbor and flood control projects. Today, I wanted to go over these projects and give you an idea of the work I believe the Army Corps of Engineers should be capable of doing in Fiscal Year (FY) 1997. The Corps' official budget has not yet been released, therefore, some of these numbers may not correlate with the numbers that come up with the President's budget in mid-March.

First, I would like to express my support for the **Indiana Shoreline Erosion Project.** I am requesting $5,532,000 in FY 1997 construction funds to complete the initial nourishment phase of the project. Although this project was authorized under the 1986 Water Resources and Development Act, I only began to seek funding for it last year -- when it became clear that, without Congressional intervention, the Corps would never undertake the project. Inaction would have resulted in permanent loss of the far-eastern dunes at the Indiana Dunes National Lakeshore.

The Army Corps of Engineers caused the erosion problem at the Indiana Dunes, so the Army Corps has a responsibility to fix the problem. The Corps' structures at the Michigan City Harbor intercept material in Lake Michigan waters that would otherwise replenish the Indiana Dunes' shoreline. As a result, the dune bluff, especially at Mount Baldy, has suffered caustic erosion. Shoreline recession rates have averaged 10 feet per year. In years when lake levels are high, the combined effect can cause erosion of up to 30 feet.

Last year's appropriation of $1.5 million will finance the placement of approximately 83,000 tons of beach material at the site this year. In addition, the funds will allow the proposed baseline monitoring program to be completed. It is imperative that the Corps continue construction of the Shoreline Erosion Project, or we will lose this spectacular natural resource.

I also seek bill language to get the Corps moving on **the Lake George Fish and Wildlife Restoration Project,** Hobart, Indiana, and an appropriation of $260,000 to allow for completion of the Design Memorandum and to perform plans and specifications for the project. Despite the Corps' claims that "the Lake George project demonstrates a Federal interest based upon the project's recreation values," there has been little movement on the project in recent years.

The purpose of the project is to restore the quality of Lake George by removing an unquantified amount of silt, aquatic growth and other materials that have accumulated in the lake. The project includes flood control, environmental enhancement, and recreation for an area that comprises the 282-acre Lake George, Turkey Creek and Deep River in the vicinity of Hobart and upstream to Lake Station, Indiana. Congressional direction is essential to get the Army Corps of Engineers to take substantive action on the project.

The **Little Calumet River Flood Control Project,** Lake County, Indiana is the major flood control project in Northwest Indiana. With 22 miles of levee and floodwall construction, 13 pumping plants, channel and bridge modifications, and a flood warning system, this project will prevent $15.5 million in average annual flood damages.

I anticipate the administration will ask for $11 million in FY 1997 to continue major construction on the Little Calumet River Project. Work scheduled for FY 1997 includes: completion of three, major levee construction projects; continued work on one levee; and initiation of construction on a pumping station. Recreation, landscaping, and fish and wildlife mitigation will also be undertaken with FY 1997 funds.

There are three, smaller flood control projects that are also a part of the Little Calumet River basin:

The **Cady Marsh Ditch Flood Control Project,** primarily located in Griffith, Indiana, needs a $330,000 appropriation in FY 1997 to complete the engineering and design phase of the project. The Cady March Ditch is a major tributary of the Little Calumet River. It is six miles long and provides drainage for about 17 square miles. This project provides for the widening and deepening of 1,290 feet of the ditch and will alleviate chronic flooding affecting homes and roadways. The project will prevent annual flood damages averaging $823,000.

The **Little Calumet River Basin, Calumet Township,** also known as the Cady Marsh Ditch expansion project, will help to alleviate flooding at the headwaters of Cady Marsh Ditch. This project is currently approaching the feasibility phase. The on-going reconnaissance study, which will be completed this April, has examined flooding of homes, a cemetery, and major transportation routes. A $150,000 appropriation will be used to finalize the Federal Cost Sharing Agreement (FCSA) and initiate work on the feasibility phase of the project.

The **Little Calumet River Basin, Dyer**, Indiana project addresses frequent flooding problems within a residential community. The Flood Insurance Administration has estimated that 600 structures and more than $50 million in property are at risk. In addition, because floodwater typically takes 4 to 5 days to drain, the impact of flooding on the community's transportation routes is significant. I am requesting $150,000 to initiate work on the feasibility phase of the project in FY 1997.

Northwest Indiana has three harbors which receive assistance from the Army Corps of Engineers:

The **Burns Waterway Harbor,** also known as Indiana's International Port at Burns Harbor, is one of the premier ports in the Great Lakes. Last year, over 100 ships and more than 700 barges came to the harbor handling more than 2.5 million tons of cargo --- including 268,000 tons of finished export steel. I have two FY 1997 appropriations items for the Burns Waterway Harbor: $4,190,000 for ongoing construction, and $1,200,000 for regular operations and maintenance.

Operations and maintenance activities scheduled for FY 1997 include ongoing repairs for the west leg of the north breakwater and a survey of the depths of the harbor.

For construction, $4,000,000 will be needed to continue work on the new breakwater at the harbor. These funds will bring the project to almost 80 percent complete. The existing breakwater at Burns Harbor was built in 1965 and has deteriorated to a point where vessels serving the harbor have been threatened during inclement weather, putting lives and cargo in danger. An additional $190,000 in construction funds are necessary to provide handicapped access to a small jetty construction project currently underway at the Harbor.

Due to delays at the **Burns Waterway Small Boat Harbor,** only a small appropriation, approximately $5,000, will be needed for routine maintenance repair, structure monitoring and to continue dredging preparation for the Harbor.

Finally, the **Indiana Harbor** project requires $560,000 for dredging studies and confined disposal facility design and engineering. This long-term project will provide dredging of the entire Federal navigation channel at the Indiana Harbor and Ship Canal to authorized depths ranging from 22 to 29 feet. The harbor has not been dredged since 1972 because the sediments are contaminated to the point where they require a containment facility. After years of study, the Environmental Impact Statement (EIS) for the containment facility is now in the public comment period, and General Design Memorandum will be initiated as soon as the EIS is released and approved by other government agencies.

In closing, I recognize that money will be very tight this year, and thank the Subcommittee for its consideration. I have greatly appreciated your support and friendship over the years. Chairman Myers and Mr. Bevill, I wish you both all the best this year, and, especially in the coming years, as you enjoy your private lives.

Mr. MYERS. Well, thank you. And we look forward to working with you. We are still going to be around for another 10 months, Tom and I are.

Mr. VISCLOSKY. Thanks for the warning.

Mr. MYERS. We will be pleased to work with you, as we always have.

Mr. VISCLOSKY. Thank you.

Mr. MYERS. Thanks for your testimony.

TUESDAY, MARCH 5, 1996.

NEBRASKA PROJECTS

WITNESS

HON. DOUG BEREUTER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEBRASKA

Mr. MYERS. Doug Bereuter, our colleague from Nebraska. Your prepared statement will be placed in the record and you may proceed as you like for the next five minutes.

Mr. BEREUTER. Thank you very much, Chairman Myers, and to all members of the subcommittee. I appreciate an opportunity to testify before you today. I would say to Chairman Myers, a friend, you will be missed in the House and in the Congress, because you have, as Ranking Minority Member for many years and then last year and this year as Chairman, brought proper insight, and are among the best, most knowledgeable people on these subjects that the House has seen, and you have always treated us with not only wisdom, but also equity.

Mr. MYERS. Good. Thank you. Nice words.

Mr. BEREUTER. The Ranking Member, Mr. Bevill, Chairman for a longer period of time, also had a tremendous store of knowledge and we had the same kind of positive and equitable treatment from him when he was the Chairman, I can say without any kind of exaggeration. So I thank you for your service and we are not saying good-bye to you today, but this is the last chance to officially testify.

Mr. MYERS. Thank you.

Mr. BEREUTER. My written statement will be amended with some of my own thoughts. So I will turn over to the clerk a different version. But let me just say that I am here today to ask for funding for two specific flood control projects in my district. One will continue a Section 205 program in the village of Pender, Nebraska, where they are now in the plans and specs phase of the project.

We are going to have a halt to the project unless we can get some reprogramming. This small village, a county seat, is in the poorest county in Nebraska, by every indication. They have spent, I think, well over $160,000 of their own money and natural resource district money at this stage already.

The Nebraska Department of Roads would mesh extremely well with this if we can proceed at the same pace we had planned to. It would save the State and the Federal Government a substantial amount of money because the Department of Roads will proceed in building a highway in a fashion which will contribute to the flood control project for the Village of Pender.

By the way, about 80 percent of the Village of Pender is in the floodplain, and there is little alternative except this project.

Secondly, the Antelope Creek Flood Control and Drainage Study now underway. We are requesting an additional $175,000 to continue that effort, which involves the State, the University of Nebraska, the City of Lincoln and the natural resource district.

Antelope Creek was once a meandering stream, but has now been channelized through the heart of the central business district of Lincoln, the capital city. They are faced with very obsolete infrastructure there that could collapse at any time. The major conduit that takes the creek beneath the City of Lincoln, is in danger of collapse and needs to be replaced, but it is an opportunity for the university and the natural resource district and the city to prepare for a better traffic flow, flood control and pedestrian movement in that region.

And finally, I wanted to speak about two specific projects that relate to the Missouri River. You will be hearing from one of my constituents and one of Tim Johnson's constituents later today, if you haven't already, about the need for ongoing operation and maintenance funds for the Missouri River Bank Stabilization Project.

This remaining unchannelized portion of the Missouri River below the last of the Mainstem dams of the Pick-Sloan era is subject to extraordinary erosion because of the releases from that dam. And it is doing great damage to the area. We have started the process of providing them about $200,000 a year to keep up the various improvements that reduce the level of erosion. I would like to ask for the continuation of that $200,000.

And I have always spoken as the lead witness for the Missouri River Mitigation Project, which involves the four States of Iowa, Nebraska, Missouri and Kansas. It, too, is an opportunity to help restore the fish and wildlife habitat that was lost because of the channelization of the Missouri from Sioux City, Iowa, to St. Louis, Missouri.

The projects are now underway in several areas. We almost missed the boat in not starting them within the authorization period, but I would like to see continued funding for this four-State effort.

We do also have a proposal for a Platte River flood study, which is important. We are asking for a feasibility request, if you can grant it to us.

Mr. Chairman, those are my requests, nothing out of the ordinary. But I would like to close by commending the committee for rejecting the administration's proposed policies last year to radically revise the Corps of Engineers' mission and severely restrict its role in local flood control projects. Section 205, small flood control projects, the Section 14 emergency stream bank and shoreline and protection projects are very important.

We also make good use of the Section 22 program, and I think that the money that we spend in the Great Plains Midwest is very well spent in that respect. So thank you for resisting the change there. I think these are very important projects and programs that continue to make the Corps of Engineers relevant to the people that live in the center of the United States, as well as the people that live on the shorelines that use the program.

Thank you, Mr. Chairman.

[The statement of Mr. Bereuter follows:]

TESTIMONY BY REPRESENTATIVE DOUG BEREUTER BEFORE THE HOUSE SUBCOMMITTEE ON ENERGY AND WATER APPROPRIATIONS

MARCH 5, 1996

Summary of funding requests:

1. Pender (Logan Creek) Flood Control Project:

Request $270,000 from the Corps of Engineers' Section 205 program to allow for preparation of the Plans and Specs Phase of the project.

2. Antelope Creek Flood Control and Drainage Study:

Request $175,000 for the ongoing Antelope Creek Flood Control and Drainage Study by the U.S. Army Corps of Engineers in cooperation with the City of Lincoln, Nebraska, the University of Nebraska, and the Lower Platte South Natural Resources District.

3. Missouri River Mitigation Project:

Support for an adequate level of funding for this important project which helps restore fish and wildlife habitat.

4. Missouri National Recreation River Project -- Four-State Region:

Support the Missouri River Bank Stabilization Committee's request for $200,000 to be appropriated for continued operation and maintenance of works previously built under Section 32 Streambank Erosion Control and Demonstration Act.

5. State and Local Flood Control Assistance

Support adequate funding levels for Section 205 (small flood control), Section 14 (emergency streambank and shoreline protection), and Section 22 (planning assistance to states and tribes).

6. Lower Platte Flood Study

Request $490,000 for feasibility studies of four projects identified as a result of the draft reconnaissance phase of the flood study.

TESTIMONY BY
REPRESENTATIVE DOUG BEREUTER
BEFORE THE HOUSE SUBCOMMITTEE
ON ENERGY AND WATER APPROPRIATIONS
MARCH 5, 1996

Chairman Myers, Congressman Bevill, and members of the Subcommittee, thank you for the opportunity to appear before your subcommittee to support funding for several projects and programs of interest to my constituents and the citizens of Nebraska. Chairman Myers, friend, we will miss you in the House and on this subcommittee. As the ranking minority member and then last year and this as chairman, you have provided outstanding leadership for the Congress on energy and water and you have performed your duties with wisdom, good judgment, and equitable treatment of your colleagues. Thank you!

Surely the same, without exaggeration is true of the ranking minority member, Mr. Bevill, who chaired the subcommittee so well for many years. Tom, too, we will miss your great contributions to the country after your impending retirement.

I appreciate having this opportunity to speak in support of funding for two specific flood control projects as well as projects along the Missouri River designed to compensate for some of the environmental damage inflicted upon local landowners and fish and wildlife habitat along the river. I would also like to speak in support of adequate funding for local flood control projects and planning assistance for states under tribes under the Corps' Continuing Authorities Program.

1. Pender (Logan Creek) Flood Control Project

Mr. Chairman, there is an urgent need for assistance for the Pender, Nebraska Section 205 Logan Creek Project. I am requesting $270,000 which would allow for preparation of the plans and specifications phase. The Corps of Engineers' Omaha District is now completing work on the Detail Project Report (DPR) and is prepared to begin the plans and specification development phase. In response to my recent request for assistance on this matter, the Corps stated that the constrained funding situation did not allow the Corps to initiate new phases of Section 205 projects.

The schedule for this project has already slipped by nearly a year. Unless funds can be reprogrammed to provide for development of plans and specifications, this long-delayed effort would be on hold for at least another year. Such a delay would not only raise project costs, but could jeopardize the planned coordination of non-Federal monies that is being arranged between the State of Nebraska and several local funding sources. This coordination of projects will save substantial state and Federal funds and make a more effective flood control project.

The amount of money presently spent on the planning process to date is in excess of $350,000. The Village of Pender, a small municipality, and the

Lower Elkhorn Natural Resources District have expended approximately $160,000 of their own funds to date. This is a very substantial amount of funds in one of the poorest counties in Nebraska. The planning work leading to the DPR is covered in an agreement with the Village and the Omaha District, Corps of Engineers. The Village has expended an additional approximate amount of $25,000 on the costs of engineering, project coordination, and other related costs. Without the flood control project the community will remain at risk and will be stymied from undertaking future developments in their community due to FEMA flood plain development restrictions (60% of Pender is in the floodplain and 40% is in the floodway).

The plan calls for right bank levees and flood walls with a retention pond for internal storm water during flood periods. The project will remove the entire community from the FEMA 100-year flood plain. This project is needed to protect life and property, eliminate or greatly reduce flood insurance costs, and allow community and housing development.

Mr. Chairman, quite simply, at great expense the state and local entities involved in the project have held up their end of the agreement. If Federal-local partnerships are to work, Federal commitments need to be met; therefore, I am requesting your assistance in providing the necessary funding.

2. Antelope Creek Flood Control and Drainage Study:

I am requesting $175,000 for the ongoing and I stress the word "ongoing" flood control study of the Antelope Creek which runs through the heart of Nebraska's capital city, Lincoln. This level of funding is needed for the feasibility study phase of the project. The FY96 Energy and Water Appropriations Conference Report included $90,000 for this important project. The purpose of the study is to find a solution to multi-faceted problems involving the flood control and drainage problems in Antelope Creek as well as existing transportation and safety problems all within the context of broad land use issues. I continue to have a strong interest in this project since I was responsible for stimulating the City of Lincoln, the Lower Platte South Natural Resources District, and the University of Nebraska-Lincoln to work jointly and cooperatively with the Army Corps of Engineers to identify an effective flood control system for downtown Lincoln.

Antelope Creek, which was originally a small meandering stream, became a straightened urban drainage channel as Lincoln grew and urbanized. Resulting erosion has deepened and widened the channel and created an unstable situation. A ten-foot by twenty-foot (heighth and width) closed underground conduit that was constructed between 1911 and 1916 now requires significant maintenance and major rehabilitation. A dangerous flood threat to adjacent public and private facilities exists.

The goals of the study are to anticipate and provide for the flooding of Antelope Creek, map the floodway, evaluate the underground conduit and provide for any necessary repair, stimulate neighborhood and UN-L city campus development within current defined boundaries, eliminate fragmentation of the city campus, minimize vehicle/pedestrian/bicycle conflicts while providing adequate capacity, and improve bikeway and pedestrian systems.

3. Missouri River Mitigation Project:

Mr. Chairman, I appreciate the support that the Subcommittee has shown for the four-state (Iowa, Nebraska, Kansas and Missouri) Missouri River Mitigation Project in previous years. While the Administration has requested funding for this project in the past, it is likely that the Administration's request this year will be much lower than the amount actually needed for this ongoing and critically important project. Although specific funding levels are not available, I would like to express my general support for adequate funding so that this ongoing project, which includes numerous sites, can be completed in an expeditious manner. I believe it would be a serious mistake to seriously curtail funding to this project.

Funding is needed to restore fish and wildlife habitat lost due to the Federally sponsored channelization and stabilization projects of the Pick-Sloan era. The islands, wetlands, and flat floodplains needed to support the wildlife and waterfowl that once lived along the river are gone. An estimated 475,000 acres of habitat in Iowa, Nebraska, Missouri and Kansas have been lost. Today's fishery resources are estimated to be only one-fifth of those which existed in pre-development days.

4. Missouri National Recreation River Project:

I understand that Mr. Darrell Curry from Newcastle, Nebraska, and Mr. Jim Peterson from Vermillion, South Dakota, will appear before this subcommittee later today to once again testify in support of the Missouri National Recreation River Project on behalf of the Missouri River Bank Stabilization Committee.

The Missouri National Recreation River Project addresses a serious problem by protecting the river banks from the extraordinary and excessive erosion rates caused by the sporadic and varying releases from the Gavins Point Dam. This erosion is a direct result of previous work on the river by the Federal Government; therefore, I believe this project is fully justified for Federal financial assistance. Today, I am endorsing their request for $200,000 to be appropriated for operation and maintenance of works previously built under Section 32 Streambank Erosion Control and Demonstration Act.

5. State and Local Flood Control Assistance

Mr. Chairman. I would like to express my sincere appreciation to you and the subcommittee for rejecting the Administration's proposed policy last year to radically revise the Army Corps of Engineer's mission and severely restrict its role in local flood control projects. The rigid set of criteria proposed by the Administration would have greatly restricted the Corps' presence in numerous states. The Administration's proposed changes would have resulted in a seriously short-sighted and misguided policy and I am pleased that this subcommittee firmly rejected it.

I would also like to take this opportunity to stress the need for sufficient funding for the Corps' Continuing Authorities Program with regard to such essential programs as Section 205 (small flood control) projects and

Section 14 (emergency streambank and shoreline protection) projects. I also remain very supportive of Section 22 (planning assistance to states and tribes) funding.

The State of Nebraska has made extensive use of Section 22 funds. The program is popular in Nebraska and across the country because of it broad scope, versatility, and timeliness. There continues to be a great need for the type of technical assistance which Section 22 funds can facilitate. However, the effectiveness of this program is greatly diminished if adequate funds are not available.

As this subcommittee is well aware, funding for local flood control projects is of critical importance to communities across the nation. These programs have led to extraordinary success stories involving Federal, state and local cooperation. This funding offers hope and creates opportunities for communities threatened by the ravages of floods. Unfortunately, funding reductions in recent years have led to unreasonable delays and the continued threat of flooding. For example, in the Corps' Omaha District, which includes my district, funding for Section 205 projects has been reduced by more than 50 percent in the past two years. These programs have proven their worth and deserve vigorous support.

6. Lower Platte River and Tributaries Flood Control Study

In 1993 flooding temporarily closed Interstate-80 and seriously threatened the Lincoln municipal water system which is located along the Platte River near Ashland, Nebraska. I was extremely pleased that the FY96 Energy and Water Appropriations bill provided $441,000 in funding for the Lower Platte River and Tributaries Flood Control Study. This study helped to formulate and develop feasible solutions which will alleviate future flood problems along the Lower Platte River and tributaries.

As a result of the draft reconnaissance phase of the study, four projects have been identified which would be worthy of feasibility studies in conjunction with a local cost-share participant:

- Western Sarpy County Dike
- Clear Creek (including Camp Ashland)
- Thomas Lake
- Union Dike (raising)

The Federal share needed to complete all four studies is **$490,000.**

Thank you, Chairman Myers, Congressman Bevill, other members of the Subcommittee, and key staff members for your past assistance. I very much appreciate this opportunity to speak on behalf of these projects which are important to Nebraska and the 1st Congressional District, as well as to the people living in the Missouri River Basin.

Mr. MYERS. Thank you, Doug, for your nice remarks. I don't know who came up with that proposal last year for the administration, but I know how it got stopped.

Mr. BEREUTER. Thank you.

Mr. MYERS. Well, thank you for your testimony.

Mr. BEREUTER. If you have any questions, I would be happy to respond.

Mr. MYERS. We will be glad to work with you.

ATLANTIC INTRACOASTAL WATERWAY

WITNESSES

HON. NORMAN SISISKY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF VIRGINIA

JOHN O'CONNOR, DIRECTOR, PUBLIC WORKS, CHESAPEAKE, VIRGINIA

Mr. MYERS. Our colleague Norm Sisisky from Virginia, along with the group from Chesapeake.

Mr. SISISKY. Thank you, Mr. Chairman.

Mr. MYERS. Norm, your prepared statements will be placed in the record and you may proceed as you wish.

Mr. SISISKY. I thank you for the opportunity to present testimony here this morning. Today I am very pleased to have Mr. John O'Connor, who is the Director of Public Works for the City of Chesapeake, and Maryanne Saunders, who is the Assistant City Manager of Chesapeake. We are here to speak about the urgency of the development of the AIW Bridge in Great Bridge, Virginia.

When I first came into Congress, there were 120,000 people in Chesapeake, Virginia. Now they are approaching 200,000 in 14 years. It is the fastest growing cities in Virginia and one of the 10th fastest growing cities in the United States. And who knows, if I stay much longer, it could reach 300,000.

Mr. MYERS. Somebody is doing something right.

Mr. SISISKY. I made the initial funding request for the study of the replacement bridge back in 1988 and the project started in fiscal year 1989. Both the city and the Army Corps of Engineers worked well together to come up with a solution to the serious traffic problems faced by the region. In the meantime, you can imagine how bad traffic has become on this four-lane highway going into a two-lane bridge over the canal.

I think at this point, I will let Mr. O'Connor and Ms. Saunders tell you a little more about the timely nature of the request.

Mr. O'CONNOR. Good afternoon, Chairman and members of the subcommittee. My name is John O'Connor, I am Public Works Director of the City of Chesapeake, Virginia. I am representing today the city's mayor and City Council. As you probably know, our City of Chesapeake is located in southeastern Virginia, a few hours drive from the Nation's Capital, one of the two fastest growing cities, as Congressman Sisisky said, and we rely heavily on our transportation system.

The project I am interested in today is essential to our transportation needs and our economic well-being. We are fortunate to have a congressional delegation which fully supports our efforts, in particular Congressman Sisisky. The Army Corps of Engineers has congressional authorization to replace this 53-year-old, two-lane highway swing bridge which crosses the Atlantic Intercoastal Waterway in the Great Bridge section of our community.

The bridge can no longer accommodate the volume of traffic, thereby creating a significant bottleneck. The bridge carries some 36,000 vehicles a day, which is five times its original design capacity. It opens 4,500 times a year and it has a very slow operating mechanism, which compounds the vehicular traffic congestion, as well as delaying the waterway traffic. The situation is exacerbated during the summer months since this is a major corridor for traffic heading to and from the Outer Banks of North Carolina.

The Corps of Engineers will use mostly Federal funds to construct the bridge. The City of Chesapeake will provide $4 million for betterments and improvements on the approaches. The existing bridge will be removed. As a condition of local responsibility, the Corps of Engineers is going to transfer ownership of the replacement bridge to the city when it is completed, which means we will take over the 24-hour-a-day operation of the opening and draw span. The city cost for all operation, maintenance, rehabilitation and replacement will be approximately $300,000 a year thereafter.

The bridge project was authorized in Section 339 of the Highway System Designation Act of 1995 at a total cost $23,680,000. This improvement will provide the city with a five-lane bridge, which is consistent with the width of both the north and the south approaches of the bridge now.

Over the last 20 years, both the City of Chesapeake and the State have spent over $50 million in the corridor, $31 million to bypass the original bridge and now we have the same amount of traffic on the original bridge as we had when we justified the bypass.

The Corps' schedule indicates a construction start in fiscal year 1997, which consists of the Federal acquisition of lands, easements and right-of-ways needed for the project. For fiscal year 1997, $1.7 million in Federal funds is needed in order to keep the Corps on schedule. The funding is necessary to allow the project to move forward at a pace consistent with the 38-month schedule for completion. Unless this appropriation is forthcoming, the schedule will be delayed, lengthening the time necessary for construction and increasing the cost to both the city and the Federal Government. Therefore, the city respectfully requests that your committee fund the $1.7 million to initiate construction on this long-awaited project that means so much to our city and our region.

Mr. Chairman, that concludes my testimony. Thank you for allowing me the opportunity to speak here today on behalf of the City of Chesapeake.

[The statements of Mr. O'Connor and Ms. Saunders follow:]

TESTIMONY

Mr. John A. O'Connor
Director of Public Works
City of Chesapeake, Virginia

Ms. Mary Ann Saunders
Assistant City Manager
City of Chesapeake, Virginia

before the
House Appropriations Subcommittee on Energy and Water

The Honorable John Myers, Chairman

March 5, 1996

Good afternoon Chairman Myers and members of the Sub-Committee. My name is John O'Connor. I am the Director of Public Works for the City of Chesapeake, Virginia. I am representing the City's Mayor and City Council. It is a privilege to appear before your committee today.

As you probably know, our beautiful city of Chesapeake is located in Southeastern Virginia, only a few hours drive from the nation's capitol. Our city is one of the fastest growing cities in the Country and we rely heavily on our transportation system of highways and bridges to support this growth.

I am here today to discuss a project of immense concern to the city which is essential to our transportation needs and our economic well being. May I say here, that we are fortunate to have a Congressional delegation which fully supports our efforts, particularly Mr. Sisisky.

The U. S. Army Corps of Engineers has Congressional authorization for replacing their 53-year old two-lane highway swing bridge which crosses the Atlantic Intracoastal Waterway (AIW) in the Great Bridge section of our community. The bridge can no longer accommodate the volume of traffic, thereby creating a significant bottleneck. The bridge carries some 36,000 vehicles per day, which is 5 times its design capacity. The bridge opens 4,500 times per year. With its slow operating mechanism, it compounds the vehicular traffic congestion, as well as delaying waterway traffic. The situation is exacerbated during the summer months since this is a major corridor for traffic heading to and from the Outer Banks of North Carolina.

The Corps of Engineers will use mostly Federal funds to construct the bridge. The City will provide $4 million funds for betterments around the bridge. The existing bridge will be removed. As a condition of local responsibility, the Corps of Engineers will transfer ownership of the replacement bridge to the City when it is completed. With this transfer, the Federal Government will no longer be involved with the bridge and the City will be responsible for all operation, maintenance, rehabilitation and replacement costs estimated at approximately $300,000 per year.

The bridge project was authorized in Section 339 of the Highway

System Designation Act of 1995 at a total cost of $23,680,000. The project will provide the City with a 5-lane bridge which is consistent with the width of existing approach corridor. Over the last 20 years the City and State have expended $140 million in this corridor. Approximately $20 million was used to construct a bypass bridge over the canal and $20 million in widenings on either side of the bridge. The project will reduce traffic delays, improve air quality, and reduce maritime delays.

The Corp's schedule indicates a construction start in FY 97 which consists of the Federal acquisition of lands, easements and right-of-ways needed for the project. For FY 97 $1.7 million in Federal funds is needed in order to keep the Corps on schedule. The funding is necessary to allow the project to move forward at a pace consistent with the 38-month schedule for completion. Unless this appropriation is forthcoming, the schedule will be delayed, lengthening the time necessary for construction and increasing the cost to the City and Federal Government. Therefore, the City respectfully requests that your committee fund the $1.7 million to initiate construction on this long awaited project that means so much to our City and the region.

Mr. Chairman, that concludes my testimony. Thank you for allowing me the opportunity to appear here today on behalf of the City of Chesapeake.

Ms. SAUNDERS. We would be happy to entertain any questions. That's my part.

Mr. MYERS. How old was the bridge?

Mr. O'CONNOR. Fifty-three years old.

Mr. SISISKY. It really is a bottleneck. I would hope that we could really start construction of the new bridge this year. It really is a bottleneck and obviously it is getting worse.

Mr. MYERS. What does the Corps tell you when you talk to them?

Mr. SISISKY. The Army Corps is ready to go.

Mr. O'CONNOR. They are moving.

Mr. SISISKY. They are absolutely behind this project. They have been behind it. It is how I got alerted to it in 1988, because the Corps saw a problem. And what we have done—of course, I should have gotten the money earlier to be very honest with you, but we couldn't work out whether they wanted a high rise bridge or a low bridge, five lanes and then the other problem was who was going to run it.

We are going to save Federal employees because they man it 24 hours a day. The city will eventually be responsible for all of that—when they assume ownership of the bridge. That was the quid pro quo.

Mr. MYERS. It would have been nice to have gotten the money before the till went dry.

Mr. SISISKY. You are right.

Mr. MYERS. Thank you very much for your testimony and we will consider it.

Mr. SISISKY. Thank you.

Mr. MYERS. The committee will stand adjourned until 2:00 p.m. this afternoon.

TUESDAY, MARCH 5, 1996.

IN SITU COPPER MINING RESEARCH PROJECT

WITNESS

DAVID SKIDMORE, PROJECT MANAGER, IN SITU COPPER MINING RESEARCH PROJECT

Mr. MYERS. The committee will come to order.

Our first witness this afternoon is Emil A. Romagnoli, is that right, Director of Government Affairs, ASARCO, Incorporated, and David Skidmore, Project Manager of the In Situ Copper Mining Research Project.

Both of you are here?

Mr. SKIDMORE. I am David Skidmore.

Mr. MYERS. Mr. Skidmore, we would be pleased to hear you.

Your prepared statement will be placed in the record and you may proceed as you like for 5 minutes.

Mr. SKIDMORE. Thank you.

Thank you, Mr. Chairman, and Members of the Committee for the opportunity to provide testimony in the In Situ Copper Mining Research Project at the test site near Casa Grande, Arizona. This project operates under a cost-sharing cooperative agreement between the Bureau of Reclamation and Santa Cruz Joint Venture, which owned by ASARCO, Incorporated, in Freeport, a copper and gold company.

My name is David Skidmore. I am the Project Manager of the Joint Venture. The project has been under the jurisdiction of the Bureau of Mining since 1988, but because of the termination of the Bureau this year, it has been transferred to the Bureau of Reclamation by a memorandum of understanding which became effective February 2nd.

Approximately, $5 million was transferred to cover personnel and other overhead costs for a number of ongoing contracts, including the In Situ Project. These funds will support the Bureau's technical personnel who are needed to evaluate and ensure environmental compliance, complete technical documentation and technology transfer.

In addition to these in-house support funds, approximately $2 million of previously appropriated field test monies have been transferred. These funds are cost-shared at 75 percent Federal and 25 percent non-Federal. The project was first funded in fiscal year 1988 by the Interior Subcommittee with Conference Report language stipulating the cost-sharing and other management arrangements.

Mr. Chairman, in situ mining is a method being tested by this project which will extract copper insortium from ore-bearing rock deep below the surface without the conventional mining processes as we know them today, the open-pit mining or underground excavations. The mining involves drilling wells in the ore body and injecting a dilute sulfuric acid solution into the center of four wells on the corners for a five-spot pattern.

The solution is injected in the center well and passes through fractures to the recovery wells at the corner dissolving copper as it journeys through the rock fractures. This solution is then pumped to the surface and processed through a solvent extraction electrowinning or SX/EW plant into saleable copper. The SX/EW is common technology being used to extract copper being leached on the surface by conventional mining methods.

The technology has far greater promise, far from beyond mining. The discoveries already made with early tracer tests with the project have demonstrated uses in environmental remediation at waste sites. In this regard, we are pleased that the project was transferred to the Bureau of Reclamation, because we believe the missions are compatible to improve water quality through application and new engineering technologies.

Again, Mr. Chairman, I am pleased to announce that on February 12th, 1996, we have begun the actual tests of injecting the derivative acidic solution and early indications show a technical success in detecting low levels of copper in the solution in the recovery well.

The current partnership contract extends to April 30th, 1998. It is this—at this point the Federal project will be completed and the reports distributed.

However, it is estimated that current available project funds, along with non-Federal share, will allow us to operate only until July of 1997. We estimate the total requirement of this remaining fiscal 1997 period to be $440,000 and respectfully ask that the committee add that sum to the appropriation for the Bureau of Reclamation for that purpose.

Again, I would like to thank you, Mr. Chairman, and members of the committee, for allowing me to present this testimony. I will be happy to answer questions and provide any additional information for the record.

Mr. MYERS. Well, thank you, Mr. Skidmore, for your statement. Thank you.

[The statement of Mr. Skidmore follows:]

$448,000 FY97

Outside Witness Hearings
March 5, 1996
Subcommittee on Energy and Water Development
Committee on Appropriations

Statement of David Skidmore for the Santa Cruz Joint Venture

In Situ Copper Mining Research Project
Bureau of Reclamation

Thank you, Mr. Chairman and members of the Committee, for the opportunity to provide testimony to the Energy and Water Development Subcommittee regarding the status of the In Situ Copper Mining Research Project at the Santa Cruz field test site near Casa Grande, Arizona. The project operates under a cost sharing cooperative agreement between the Bureau of Reclamation and the Santa Cruz Joint Venture (SCJV).

My name is David Skidmore. I am the project manager, employed by the SCJV. As the non-Federal partner in the project, the SCJV is the prime contractor, reporting to the Bureau of Reclamation.

In September of 1988, the SCJV signed a cooperative agreement with the U.S. Bureau of Mines to conduct a research project at the Santa Cruz site. This agreement specified that the Bureau would fund 75% of the estimated $22,000,000 project, with the remaining 25% to be funded by the SCJV.

This agreement was based on an initial FY 1988 Congressional appropriation of $3,500,000. The statement of the managers, included in the Conference Report of the Subcommittee on Interior and Related Agencies, instructed that $1,000,000 be available for the Bureau of Mines' in-house laboratory research. This activity was not to be cost-shared. The remaining $2,500,000 was directed to on-site activities and stipulated a cost sharing requirement of 25% "over the life of the project." The managers also stated that the non-Federal partner should assume operational management responsibility, while the Bureau monitored over-all project execution.

This past year, the bill making appropriations for the Department of Interior and Related Agencies for FY 1996, HR 1977, provided funds "...for, and incidental to the closure of the United States Bureau of Mines..." of which an amount "...not to exceed $5,000,000 may be used for the completion and/or transfer of certain ongoing projects..." The accompanying statement of the managers stated that "...some contracts will require oversight through a logical completion point to ensure that the Federal investment is not lost. One example is the construction associated with the Casa Grande in situ copper leaching program."

In keeping with the intent of that provision, the Bureau of Mines and the Bureau of

Reclamation signed a Memorandum of Understanding, effective February 2, 1996, shifting the In Situ project, and several other on-going contracts, to the Bureau of Reclamation. Approximately $5,000,000 has been transferred to cover personnel and overhead costs for all of the contracts. It is our understanding that about $3.7 million of the $5 million is allocated to the In Situ program to support the technical personnel needed to evaluate and assure environmental compliance, complete technical documentation and technology transfer.

Also transferred with the project was the approximately $2,000,00 in funds previously appropriated for the field test. (Of the approximately $15,000,000 that has been obligated since FY 88, about $13,000,000 has been expended.)

Mr. Chairman, in situ mining is a method of extracting metal from an ore body "in place"--without excavation. Unlike conventional mining practices, there is no open pit or underground excavation of the ore-bearing rock. The chemical process being used to extract the copper from the Santa Cruz ore body has been generally used in heap leaching of previously excavated copper oxide ore. But the technology has never been used to extract copper from ore that is still in place deep in the ground, as it was deposited naturally through the millennia.

That is the purpose of this experimental program--to test the technology at depth to see if it is technically possible, environmentally safe and economically feasible.

To conduct the test, a dilute solution of sulfuric acid and water is injected into a mineralized zone, some 1,500 to 1800 feet below the surface in granitic bedrock. Situated around the injection well are four extraction, or recovery, wells which will pump the solution, now containing copper leached from the networks of fractures and veins in the bedrock, to the surface. The copper will then be removed from the solution through a process known as solvent extraction/electrowinning (SX/EW). After the copper is removed, the acid is then replaced and the solution recycled continuously through the deep ore body. Because of the SX/EW process, no smelting is necessary.

I am very pleased to say, Mr. Chairman, that as of February 12, 1996, we have begun the actual test process with the acid solution. Early indications show technical success in seeing low levels of copper in solution. It is our expectation that within a few weeks the solution will be sufficiently rich in copper that we will begin to extract metal before it is reinjected. We anticipate that the test will take two years to accumulate enough data as to determine the technical and economic feasibility, and confirm environmental protection.

It has taken a lot of time and work, and a great deal of cooperation between the partners, to get to this point. We first conducted site characterization studies to provide the technical data necessary to prepare detailed engineering designs and environmental permit applications. A "five-spot" well pattern was constructed through the proposed in situ mining test zone to provide the means to conduct hydrologic testing. Four monitor wells were also constructed through the aquifer that overlies the copper deposit.

Utilizing a salt tracer test, we were able to conduct hydrologic characterization studies, laboratory leaching and attenuation tests and micro-scale geologic characterization studies. The salt tracer tests were very encouraging and demonstrated that the injected fluids could be contained and not migrate to the overlying aquifer.

All of the field and laboratory preparation was necessary to develop an application for the Aquifer Protection Permit (APP), required by the Arizona Department of Environmental Quality. At the same time, the Bureau of Mines conducted an Environmental Assessment as required by the National Environmental Policy Act (NEPA). This process included two public hearings in Casa Grande, Arizona, which were well publicized and attended. The draft EA was made public in September of 1994, and was well received. No negative comments were expressed, or received in writing by the Bureau. On December 1, 1994, the Bureau issued a Finding of No Significant Impact (FONSI).

We have since received the Aquifer Protection Permit from the ADEQ as well as an Air Quality Permit from Pinal County, Arizona.

The permitting process was lengthy and complex. However, the APP is the first such permit ever issued for an In Situ leaching process for an unmined deposit. A large number of unknowns were explored and resolved, greatly clarifying and defining the process. Future permit applications will be far less complex for other mining operations.

With the receipt of the permits and the FONSI, we proceeded to the construction of the SX/EW plant and related surface facilities. Those facilities were completed in December. We then conducted and completed our commissioning and "shakedown" tests.

With the beginning of the final phase of the project, we are very optimistic that the In Situ tests will provide this country with a new and dependable technology to reach extensive and previously unreachable deposits with virtually no environmental impacts. It has tremendous potential in the United States.

But the technology has great promise beyond mining. The discoveries already made with the "tracer tests" have demonstrated uses in environmental remediation at mining and other waste sites. This would include underground stabilization and removal of chemical and biological contamination and could include the placement of physical barriers at a wide variety of depths. In that regard, we believe the project is compatible with the continuing mission of the Bureau of Reclamation to reduce human impacts on surface and ground water resources and improve water quality through the application of new engineering technologies.

I think it is important to point out that this lengthy and intensive process could have been successful only through a very successful partnership of Federal agencies and the private sector. If conducted only by the private sector, this information would not be available to everyone. The project should be a model for effective cost-sharing partnerships in research and experimental programs.

Mr. Chairman, the current partnership contract extends to April 30, 1998. It is at this point that the Federal project will be completed and reports distributed. However, it is estimated that currently available appropriated funds, along with the non-Federal share, will be sufficient to operate the test only until July of 1997.

We estimate the total requirement for this remaining FY 97 period to be $440,000, and respectfully ask that Committee add that sum to the appropriation for the Bureau of Reclamation for that purpose.

Again, I would like to thank you, Mr. Chairman, and members of the committee, for allowing me this time to present testimony. I will be happy to answer questions or provide any additional information for the Record.

TUESDAY, MARCH 5, 1996.

SOUTH DAKOTA PROJECTS

WITNESS

HON. TIM JOHNSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF SOUTH DAKOTA

Mr. MYERS. Tim, our colleague, from South Dakota, Tim Johnson. I am sorry I didn't see you sitting there.

Mr. JOHNSON. Just came in, Mr. Chairman.

Mr. MYERS. I apologize for not calling on you first.

Your prepared statement will be placed in the record and you may proceed as you wish.

Mr. JOHNSON. Thank you.

I want to thank you, Chairman Myers, as well as Ranking Member Bevill, for the time to testify and for the support that your committee has always shown for water development needs in my State of South Dakota. The announcement of your retirement, Mr. Chairman, as well as the announcement of Mr. Bevill, represents a real loss to water development efforts across the country. And the two of you have demonstrated leadership, bipartisanship and statesmanship that really have helped America develop critically important infrastructure.

And I have to say that I am proud to have served with each one of you and I look forward to having this one opportunity, one last opportunity, to move forward on important water development efforts in our State of South Dakota.

Your committee is very familiar with two critically important rural drinking water projects in South Dakota, the Mni Wiconi and the Mid-Dakota Projects. Both projects continue to move forward with construction activities over the past year due to the strong level of support from this committee.

I will keep my remarks very brief, highlighting the progress that these two projects have made, and share with the committee their request for fiscal 1997. I have included more detail in my written statement for the review of the Committee and the staff.

The subcommittee has demonstrated its strong support for the Mni Wiconi Water Supply System during the past 7 years, including the $22.3 million appropriated last year. The project has now received close to $56 million from Congress. This vital water supply project is now well on its way to becoming a reality.

The majority of last year's funding will be used for the construction of pipelines, pumping stations, the intake and other facilities. Much of the pipe in the ground now is currently helping the residents of this area by using groundwater sources. These pipes will then connect to the core system pipeline when that is in place.

The Mni Wiconi Project, as you know, was expanded by Congress in the last year to include two additional Indian reservations in western South Dakota, the Rosebud and the Lower Brule Reservations. Both have extraordinary difficult economic conditions and water quality problems and the same critical need for a dependable clean water supply as the original service area of the project.

I urge the committee to continue its strong support for the project by including $38.4 million for the Mni Wiconi Rural Water

Supply Project in the Bureau of Rec budget for fiscal year 1997. While this level of funding is a significant increase, it is necessary for two reasons for the continued timely construction schedule of the project: One, that the project has been expanded by Congress to include the two additional Indian reservations. And secondly, construction is started on the major components of the project, including the intake, water treatment plant, and the core pipeline.

The administration has continued its strong support of Mni Wiconi and it has included the project in the President's budget for the past four fiscal years. The Mni Wiconi Project includes three of the poorest counties in the Nation, and the need for dependable clean drinking water is undeniably great.

I also want to thank the committee for the $11.5 million that Congress appropriated for the Mid-Dakota Rural Water Supply System in fiscal 1995. The Mid-Dakota Project will provide high quality drinking water to more than 30,000 residents over a huge expanse of the central part of South Dakota.

The State of South Dakota has appropriated more than $6.3 million for the project in recent years, demonstrating its willingness to be a constructive, complementary partner in this effort. The combination of Federal and State funding has allowed Mid-Dakota to make significant progress, and construction of the main components are on schedule and to be completed with fiscal 1996 funds.

The project sponsors and I are requesting $23.4 million for the Bureau's construction program for the Mid-Dakota Rural Water Systems. These funds for fiscal 1997 will allow completion of the water treatment plant and the main pipeline, as well as continued construction of distribution systems and water storage tanks.

The need for Mid-Dakota has been well documented over the past few years, and I would like to remind the committee what it knows of the water quality and availability problems that exist in this project area.

I also appreciate the committee's consideration of the additional South Dakota water development needs outlined in my written testimony, including my support for the testimony that you will be receiving from the Missouri River Bank Stabilization Association. Reliable sources of quality water are essential to rural economic development and the future of rural America. I strongly believe in our Nation's need to develop its infrastructure and the needs simply don't become any more basic than good quality drinking water.

So Mr. Chairman and Mr. Ranking Member, I want to thank you again for your past great help on behalf of the people of South Dakota. Your efforts have made a huge difference in the quality of life and the prospect and the future for generations of South Dakotans to come.

Your presence, your leadership, your statesmanship will be enormously missed in this Congress and certainly on this committee, and by hundreds of thousands of South Dakotans who you have never had the opportunity to personally meet but who know you and who know your name and are enormously appreciative of what you have done.

Several South Dakotans will be testifying next and I have always appreciated the warm reception that these people have received from the two of you, and thank you again for this opportunity to share with you the water development needs for South Dakota and for your past support for our efforts.

Thank you, Mr. Chairman, Mr. Ranking Member.

Mr. MYERS. Thank you, Tim. We appreciate the nice words. Thank you.

Mr. JOHNSON. Thank you.

Mr. MYERS. We hope we deserve it just a little bit of it even.

Mr. JOHNSON. You certainly do. You deserve all the credit that you get.

Mr. MYERS. We are pleased to work with you.

Mr. BEVILL. Thank you, Tim.

[The statement of Mr. Johnson follows:]

STATEMENT OF THE HONORABLE TIM JOHNSON

FISCAL YEAR 1997 SOUTH DAKOTA WATER DEVELOPMENT

HOUSE APPROPRIATIONS SUBCOMMITTEE ON
ENERGY AND WATER DEVELOPMENT

THE HONORABLE JOHN T. MYERS, CHAIRMAN
THE HONORABLE TOM BEVILL, RANKING MEMBER

March 5, 1996

Mr. Chairman, I wish to begin by thanking you for allowing me to testify this afternoon on behalf of the water development needs of South Dakota. I appreciate your efforts and those of the Ranking Member and Committee staff, including your past support for sound water development. As in the past, my testimony today will outline the water development needs in South Dakota for fiscal year 1997, including the Mni Wiconi and Mid-Dakota rural water projects, as well as other Bureau of Reclamation and Corps of Engineers funding needs.

As you know, many western and plains states, including South Dakota, experience increasingly unpredictable levels of precipitation, going from extreme drought in some years to flooding the next. This situation highlights the reality that water is absolutely crucial to the West and usually not very dependable. Appropriate water development is needed to maintain thousands of communities throughout the West; without water these areas, particularly rural communities, will continue to decline. I appreciate the leading role that this Committee has taken, Mr. Chairman, in addressing these needs, and I applaud your willingness to work with Members from these states to resolve these serious problems.

I especially want to thank you, Mr. Chairman, and the Ranking Minority Member and the members of the Committee, for your past support of water development in South Dakota. **The announcement of your retirement, Mr. Chairman, as well as the announcement of the retirement of the Ranking member, will be a great loss to water development efforts in South Dakota and across the nation. The two of you have demonstrated leadership, bi-partisanship and statesmanship as you have helped America develop critically important infrastructure. I am proud to have served with each of you, and I look forward to having one more opportunity to work with you to move forward on important water development efforts in South Dakota.**

I certainly understand the constraints placed on Congress and this Committee by our efforts to reduce the deficit, and as always I do not envy the difficult choices your Committee has to make this year. Nevertheless, we continue to have pressing needs in this country that must be addressed. We cannot allow the current budget situation to force us to renege on our responsibilities to the people of this nation. South Dakota needs continued federal help in its water development efforts, and as the Representative for the entire state, I would like to address the projects that I believe are deserving of funding for fiscal year 1997.

The Committee has shown the Mni Wiconi Rural Water Supply Project, authorized in 1988, a great deal of support over the past several years. To date, almost $56 million has been appropriated for this critically important water project. The $22.3 million appropriated by Congress for fiscal year 1995 has gone a long way towards making this critical project a reality and improving the quality of life across the entire project area. The majority of last year's funding will be used for the continued timely development of the project by providing for the construction of pipelines, pumping stations, the intake and other facilities. By putting "pipe in the ground" the past couple of years, the project has been able to energize its membership, and after many years of "talking" about a rural water system in this part of South Dakota, the Mni Wiconi project with the funding provided by this Committee is making it a reality. More than 1,200 miles of pipe has been put in place, out of a total of 4,200 miles of pipe needed for the total project.

I urge the Committee to continue its strong support for this project by including $38.477 million for the Mni Wiconi Rural Water Supply Project in the Bureau of Reclamation budget for Fiscal Year 1997. This funding will allow for the continued timely development of the project by providing for the construction of the main features of the core facilities of the system, including the intake facilities, the water treatment plant, and significant part of the core system pipeline.

Work on the major features on the system will be able to continue in fiscal year 1997 according to construction schedules developed after Congress completed action on legislation to expand the service territory of the Mni Wiconi project. I am proud to have authored the legislation to expand the service territory of the Mni Wiconi project, which was passed by Congress in October of 1994 and signed into law by President Clinton. This addition allows the project to provide a clean, dependable supply of water to the Rosebud Sioux Tribe and the Lower Brule Sioux Tribe, both of which are located in counties that rank among the poorest in the nation. The authorized expansion, which increases the project authorization from $120 million to $263 million, also allows the Mni Wiconi Project to meet the full needs of the original service territory, the Pine Ridge Indian Reservation and the West River-Lyman Jones rural water systems.

Mr. Chairman, I believe you are already familiar with this project and the undeniable need for this water, however, I believe it is important to review these facts to ensure that the current situation is not forgotten. As you know, the Mni Wiconi Project will provide reliable, good quality drinking water to approximately 51,000 people in southwest and central South Dakota, including the residents of three Indian Reservations, as noted above. Water delivery for many members of the Oglala Sioux Tribe on the Pine Ridge Indian Reservation and in other areas of the project currently means driving or walking for miles to a community pump, filling up five gallon buckets or barrels with water and returning home. Drilling a well in this region can range up to $50,000.

On top of expense and difficulty in obtaining water, the water quality in the project area is abysmal. Most water sources, whether community water supplies or personal wells, do not meet standards set by the Safe Drinking Water Act due to high levels of total dissolved solids, sodium, sulfates, chlorides, iron, and even radium. Many Reservation water sources are increasingly polluted with biological contaminants. Obviously, the poor water throughout the project area contributes to the health problems in the region. Diabetes, kidney disease, hypertension and a high infant mortality are particularly prevalent on the Reservation. On average across the project area, drinking two and one-half quarts of water per day for a year is equivalent to drinking two pounds of rock.

In addition to improving the health of residents in the region, I strongly believe that this water delivery project will stabilize the rural economy. Water is a basic commodity and is essential if we are to ever foster new rural development. Water development and economic development are especially important in helping the residents of the Pine Ridge Indian Reservation break the cycle of poverty. **Shannon County, Todd County and Lyman County, which are all part of the project service territory, are several of the poorest counties in the nation**. I am confident that by providing one of life's key commodities to this region, Congress will take a fundamental step in meeting its trust responsibility to these Indian communities.

The Bureau of Reclamation has worked very closely with the project sponsors; in fact, I must commend former Commissioner Beard of the Bureau of Reclamation and the local employees for their diligent efforts in working with the Oglala Sioux Tribe, West River/Lyman-Jones, Rosebud Sioux Tribe, and Lower Brule Sioux Tribe. The five project sponsors and the Bureau have worked well together in a cooperative spirit over the years, and I sincerely appreciate their efforts. In fact, when the Administration releases it's budget request for fiscal year 1997, it will have supported the project for the past four fiscal years. Although Commissioner Martinez has yet to testify for fiscal year 1997, Mr. Chairman, the Administration budget for Mni Wiconi has been on an upward trend in recent years, and I look forward to continued strong support from the Administration when their budget is presented to Congress. It is important to note that the state of South Dakota continues to meet its cost share obligations to the project.

I do not believe our needs get any more basic than good quality, reliable drinking water, and I appreciate the fact that Congress and this Committee have shown their support for the Mni Wiconi Rural Water System. The need for this project is undeniably great, and I will continue to work for its completion. I thank the Committee for its consideration of my request for $38.447 million for the Mni Wiconi project.

I also want to thank the Committee for the $11.5 million appropriated last year to the Mid-Dakota Rural Water Supply System for FY '96. The Mid-Dakota project, which was authorized in 1992, will provide high quality drinking water to more than 30,000 residents of South Dakota in the central part of the state. The State of South Dakota has appropriated more than $6.3 million for this project in order to demonstrate its willingness to significantly contribute to Mid-Dakota's development.

The Mid-Dakota project has made tremendous progress during the past year, including significant progress on the construction of the water intake and pump station, the water treatment plant, and the raw water pipeline. The construction of these main components are on schedule to be completed with FY '96 funds.

Last year I was pleased to note that the Administration has included the Mid-Dakota Rural Water System in the Bureau of Reclamation budget for the first time. While the project sponsors and myself were very pleased to see the Administration recognize the need for the Mid-Dakota project by including funding in the President's FY '96 budget, we realize the Commissioner has yet to testify for fiscal year 1997. I look forward to continued strong support from the Administration when their budget is presented to Congress.

I am requesting $29.686 million for the Bureau of Reclamation's construction program for the Mid-Dakota project to assist the State and local project sponsors in FY '97 construction activities, including completion of the Water Treatment Plant and the main pipeline, as well as continued construction of distribution systems and water storage tanks. This level of funding will keep the project construction on schedule and honor those construction contracts already in progress.

The need for the Mid-Dakota project has also been well documented over the past few years, but I would like to remind the Committee of the water quality and availability problems which exist in the project area. The ground water options in this part of the state are of very poor quality and exceed many of the standards for a number of elements. These high mineral levels include iron, manganese, sodium, sulfates and total dissolved solids. The poor quality of the water also causes many health related concerns and pose a public threat, as much of the water is not only high in mineral levels, but also high in levels of nitrates and bacteria. Health problems caused by the poor quality of water range from diarrhea and digestive complications to forcing residents with young children to use distilled water to avoid harmful side effects.

Again, I ask the Committee to continue its strong support of the Mid-Dakota Rural Water System, and I thank the committee for its consideration of my request for $29.686 for the Mid-Dakota project.

In addition, Mr. Chairman, there are several Bureau of Reclamation Projects in my state that have been part of Administration budgets in the past, and I would like to lend my strong support to these funding needs, including; the completion of the rehabilitation of the Belle Fourche Irrigation Unit, and the continued funding of the Black Hills Water Management Study (which the Bureau has been involved in for a number of years)

The Bureau has also been involved in the needs assessment and feasibility studies for the area served by the Tri-County Water Association, which includes the Cheyenne Sioux Tribe Indian Reservation, in north central South Dakota. This area of South Dakota also suffers from poor water quality and this effort will finally allow Tri-County Water Association and the Cheyenne Sioux Tribe to address this need with long term solutions, instead of temporary fixes.

Mr. Chairman, I am also very supportive the Administration's requests for Corps of Engineers funding in South Dakota and hope that they will continue to receive the support of the Committee as they have in years past. The Corps not only operates and maintains 4 of the main stem dams along the Missouri River in South Dakota, but they have also been very involved in a number of important flood control efforts.

Mr. Chairman, I am very supportive of the testimony you have received from the Missouri River Bank Stabilization Association. I strongly support the Association's request for $200,000 which is crucial to operation and maintenance of works already completed along the river under the Section 32 Stream Bank Erosion Control and Demonstration Act. The Missouri National Recreation River stretches for 59 miles between the Gavins Point Dam, near Yankton, South Dakota and the Ponca State Park, near Ponca, Nebraska. This stretch below the Gavins Point Dam was designated a Recreation River in 1978 since it is the last portion of the Missouri that remains in its natural state. However, the Missouri River is steadily eating away at its banks, a situation exacerbated by releases from Gavins Point Dam. I appreciate the past support the Committee has demonstrated in meeting the needs of bank stabilization along this portion of the Missouri River, and I look forward to continued support for these efforts from the Corps of Engineers and the Committee.

Mr. Chairman, I appreciate having this opportunity to outline the funding needs for South Dakota water development. This Committee has always been gracious and given full consideration to my requests, which I deeply appreciate. South Dakota is plagued by water of exceedingly poor quality, and the Mni Wiconi and Mid-Dakota rural water projects are efforts to help provide clean water -- a commodity most of us take for granted -- to the people of South Dakota. I am a strong believer in the federal governments role in rural water delivery, and I hope to continue to advance that agenda both in South Dakota and around the country.

Mr. Chairman, I want to thank you again for your past help and on behalf of the people of South Dakota, I want to let you and the Ranking Member know that your efforts have made a difference in South Dakota and they are appreciated more than you will ever know.

Sound water development is crucial to our state, whether it is rural water delivery, wetland and wildlife enhancement, irrigation or flood control. These projects stabilize the rural economy and greatly contribute to rural economic development since water is a vital component to ensure future growth. I appreciate the time and hard work the Committee has devoted to developing water infrastructure, especially the efforts of the Committee in meeting the needs of South Dakota and rural America. I look forward to continued close cooperation with the Committee to meet the needs of our nation. Thanks again for your time and consideration.

TUESDAY, MARCH 5, 1996.

MNI WICONI PROJECT

WITNESSES

WILBUR BETWEEN LODGES, PRESIDENT, OGLALA SOUIX TRIBE

KIRK CORDES, PRESIDENT, BOARD OF WEST RIVER/LYMAN-JONES

WILLIAM KINDLE, PRESIDENT, ROSEBUD SIOUX TRIBE

MICHAEL JANDREAU, CHAIRMAN, LOWER BRULE SIOUX TRIBE

Mr. MYERS. Now we will hear that group from the Mni Wiconi for the next 10 minutes.

Tim, you stick around.

Mr. JOHNSON. I have some other responsibilities.

I think I have a markup going on in Ag that I am going to have to go to.

Mr. MYERS. I understand that. We all understand and recognize that.

Gentlemen, we will be pleased to hear from you. Your prepared statements will be placed in the record and you may proceed for the next 10 minutes as you desire.

Mr. BETWEEN LODGES. I am Wilbur Between Lodges, President of the Oglala Sioux Tribe. The Oglala Lakota people of the Pine Ridge Indian Reservation send their greetings. It is a pleasure to testify before you today.

I am joined by a delegation that represents the leadership of the four major parties in the Mni Wiconi Project. I would like to introduce Mr. Kirk Cordes, President of the Board of West River/Lyman-Jones; Mr. Willie Kindle, President of the Rosebud Sioux Tribe; Mr. Michael Jandreau, Chairman of the Lower Brule Sioux Tribe.

With your permission, I will submit our written testimony for the record and simply highlight our concerns here today.

Today, I wanted to report to you that on my reservation, we now have the White Clay/Wakpmni, Slim Buttes, Kyle North, Kyle to Sharps Corner and West Boundary Projects in operation. And we will initiate construction on the Manderson Loop and Kyle to Allen projects in 1996. In all, 1,130 rural households on the reservation are being served by completed and ongoing projects. This project has brought a new level of hope and dignity to the membership of the Oglala Lakota people.

On behalf of the Oglala Lakota people, I would like to thank you for the tremendous advances made on my reservation as a result of your past support.

The Oglala Sioux Rural Water Supply System is the backbone of the Mni Wiconi Project. West River/Lyman-Jones, Rosebud and Lower Brule interconnect with our system. We are all working together to bring the benefits of the project to the region.

In fiscal year 1996, the Oglala's will build the intake on the Missouri River that will serve everyone. The $38.5 million we request in fiscal year 1997 will go to the building of the treatment plant and the 30-inch pipelines needed to bring water to all of our memberships.

The support of the subcommittee is needed to continue the construction that will be initiated in fiscal year 1996 and carried forward through 1997.

We are very pleased that the administration has requested $28.3 million for this project in fiscal year 1997. Unfortunately, this is $10.2 million less than what local BOR project staff and our own planners have mutually determined is necessary to keep the project on its current schedule. For this reason, we ask the subcommittee to increase this figure to a total of $38.5 million for fiscal year 1997. This $10.2 million increase is necessary for four critical reasons:

First, the people who live in this area have incomes that are less than 25 percent of the national average. They cannot afford to haul water to their homes or to buy bottled water. Thus, we cannot justify another delay in improving their health and economic wellbeing.

I draw your attention to the USA Today Newspaper, March 5th, 1996, which cites the fact that 69 percent of the children on my reservation reside in poverty.

Second, we are currently building the treatment plant, core pipelines and distribution system and we need these funds to continue ongoing construction contracts on these items.

Third, each year we are asked what we would do if the necessary funds are not available and each year we fall further behind. It should not take more than 10 years to complete this project and insufficient appropriations will clearly push us beyond our completion deadline of the year 2003.

Finally, on my reservation, the people in Red Shirt Community, where water is the worst, will have to wait another year for safe water if this money is not appropriated. This would be a terrible tragedy.

Thank you for the opportunity to present our oral and written testimony this afternoon. I will turn the microphone over to Mr. Cordes.

[The statement of Mr. Between Lodges follows:]

FY 1997 APPROPRIATIONS TESTIMONY
MNI WICONI PROJECT
SOUTH DAKOTA

(PL 100-516, As Amended October 31, 1994)

OGLALA SIOUX RURAL WATER SUPPLY SYSTEM
WEST RIVER/LYMAN-JONES RURAL WATER SYSTEM
ROSEBUD SIOUX RURAL WATER SYSTEM
LOWER BRULE RURAL WATER SYSTEM

March 5, 1996

before

HOUSE ENERGY AND WATER DEVELOPMENT SUBCOMMITTEE ON APPROPRIATIONS

Honorable John T. Myers, Chairman

1. FY 1997 Budget Request

The Mni Wiconi Project beneficiaries (as listed below) respectfully request fourth year construction funding for the project in the amount of $38,477,000 as follows:

Oglala Sioux Rural Water Supply System	
Core Facilities (Intake, Treatment Plant, Pipelines)	$18,462,000
Distribution System on Pine Ridge	6,580,000
West River/Lyman-Jones Rural Water Systems	6,848,000
Rosebud Sioux Rural Water System	5,819,000
Lower Brule Sioux Rural Water System	768,000
Total Mni Wiconi Project	$38,477,000

The Administration's budget of $28.3 million is a major improvement over last year, demonstrating growing support of the Administration for the Project, but remains inadequate for the Project to be completed on schedule. The Project needs an increase in FY 1997 of $10.2 million above the Administration's proposed budget, an amount less than the $11.8 million added by the House and Senate conference last year.

2. Construction Plans for FY 1997 Funds

The project beneficiaries are capable of continuing significant on-going construction on the distribution systems within the service areas of the project (Figure 1). See Sections 5 through 8.

The Oglala Sioux Rural Water Supply System (OSRWSS) will execute contracts for major construction activities on the core system. Construction contracts will be initiated on the intake and treatment plant this year using FY 1996 funds (Table 1). Construction of the treatment plant will use $3.0 million in FY 1996 funds and require $8.5 million in FY 1997 and $8.2 million in FY 1998 to complete construction of this $19.7 million component. OSRWSS will use $10.0 million in FY 1997 funds for construction contracts for the large diameter pipelines and related facilities that will connect the treatment plant with the service areas (Table 1). The area proposed for construction is along State Highway 1806 between the treatment plant and Fort Pierre, along U.S. Highway 83 toward Vivian, and west along U. S. Highway 14 toward Hayes (Figure 1).

OSRWSS is completing design of the core project facilities described above with FY 1996 funds. Final plans and specifications for the intake on the Missouri River have been submitted to the Bureau of Reclamation for review, and construction contracts are scheduled to begin in late spring. Site work at the treatment plant is scheduled for the start of construction in summer 1996. The FY 1997 appropriations become crucial to the continued construction of these essential core facilities.

TABLE 1

SCHEDULE AND APPROPRIATIONS FOR PROJECT COMPLETION

Year	OSRWSS Intake	OSRWSS Treatment	OSRWSS Core Pipelines N Route	to Vivian	to Murdo	to Pine R	OSRWSS Core Cost	Service Area Cost	Appropriation Completion Schedule
1996	$3,775,104	$3,000,000					$6,775,104	$15,524,896	$22,300,000
1997	0	8,488,000	3,657,320	6,316,693	0	0	18,462,013	20,015,301	38,477,314
1998	0	8,200,000	3,748,753	6,474,611	0	2,216,045	20,639,408	20,515,683	41,155,091
1999	0	0	3,842,471	6,636,476	4,523,739	2,271,446	17,274,132	21,028,575	38,302,707
2000	0	0	3,938,533	0	4,636,832	2,328,232	10,903,597	21,554,290	32,457,887
2001	0	0	4,036,997	0	4,752,753	2,386,438	11,176,187	22,093,147	33,269,334
2002	0	0	4,137,921	0	0	0	4,137,921	22,645,475	26,783,397
2003	0	0	0	0	0	0	0	23,211,612	23,211,612
	$3,775,104	$19,688,000	$23,361,995	$19,427,780	$13,913,324	$9,202,160	$89,368,362	$166,588,979	$255,957,341

Note:The numbers in this table are based on cost indexing of 2.5% annually from 1997 through 2003.

3. Construction Schedule Revision

With the needs of the Mni Wiconi Project in mind, the councils and boards of the Indian and off-reservation service areas have prepared a revised plan for completion of the project by year 2003. The plan was designed to recognize the funding environment in which the subcommittees are working and to seek a level of appropriations that is workable. The Project has seven years to complete the construction of the OSRWSS core system and the distribution systems within the respective service areas. The project participants are committed to working with the subcommittees to ensure that the expectations of the memberships are met.

Figure 1 is a diagram of the core facilities of the Oglala Sioux Rural Water Supply System that will deliver water to the interconnections of West River/Lyman-Jones, Rosebud and Lower Brule. Figure 1 shows the elements of the core system that will be constructed with FY 1997 funds and the ultimate development of the core system. This construction schedule is a significant modification from the schedule presented in the *Final Engineering Report*. Construction of the treatment plant and other core facilities has been moved to later years of the schedule and has been spread out over a longer period of years. Table 1 summarizes.

The construction sequence presented in Figure 1 and Table 1 is intended to respond to the budget constraints of Congress and the Administration. Older projects, such as the Central Arizona Project, have passed their need for the large proportion of the total appropriations they received in the past. Accepting the fact that the over-all budget for Water Development projects is declining, the Mni Wiconi Project can be completed on schedule as our appropriation needs move forward in priority to utilize the share, in part, of the total appropriations previously used by Central Arizona and others.

The construction sequence of the Oglala Sioux Rural Water Supply System (OSRWSS) will interconnect and supply the first major population segment with Missouri River water in 1999: a design population of 5,000 within the Lower Brule and Lyman-Jones systems. By year 2001, OSRWSS will deliver Missouri River water at interconnections designed for a population of 38,000 members, and by year 2002, OSRWSS will deliver water at interconnections designed for a population of 52,000 members, the population projected for all service areas between years 2010 and 2020[1]. The remaining year in the construction schedule (FY 2003) will be dedicated to completing distribution systems within the respective service areas. The Subcommittee's attention is drawn to the fact that the construction schedule permits the residents of the Pine Ridge Indian Reservation, Rosebud Indian Reservation and relatively large populations in the West River/Lyman-Jones service areas to receive Missouri River water from OSRWSS at the same time: year 2002. While this may not seem an important event to the Subcommittee, the project sponsors consider the construction sequence as another historic milestone in the growing cooperation between the tribal membership of the respective Indian reservations and the off-reservation population.

4. Unique Needs of This Project

We respectfully submit that our project is unique and that no other project in the Nation has greater needs. Poverty in our service areas is consistently deeper than elsewhere in the Nation. Health effects of water borne diseases are consistently more prevalent than elsewhere in the Nation, due in part to (1) lack of adequate water in the home and (2) poor water quality where water is available. Higher incidences of impetigo, gastroenteritis, shigellosis, scabies and hepatitis-A are well documented on the Indian reservations of the Mni Wiconi Project area. It is incomprehensible at the close of the 20th century to have a region in which social and economic conditions are as devastating. These circumstances are summarized in Table 2. Mni Wiconi raises the hopes and builds the dignity of many, not only though improvement of drinking water, but through employment and increased earnings during planning, construction, operation and maintenance.

TABLE 2

1990 BUREAU OF CENSUS ECONOMIC STATISTICS

Indian Reservation/State	Per Capita Income ($)	Families Below Poverty Level (%)	Unemployment (%)
Pine Ridge (Shannon County)	$3,029	59.6	32.7
Rosebud (Todd County)	4,005	54.4	27.3
Lower Brule (Lyman County)	4,679	45.0	15.7
State of South Dakota	10,661	11.6	4.2
National	14,420	10.0	6.3

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[1] Not all of the design population will be fully dependent on Missouri River water supply provided by OSRWSS. About 50% of the water supply for the Pine Ridge Indian Reservation will be provided by groundwater, about 38% of the water supply for the Rosebud Indian Reservation will be derived from groundwater, and a small proportion of the West River service area will be supplied from groundwater. The OSRWSS core intake, treatment plant and pipelines are needed to supply the remaining demand for water and to back up the groundwater supply.

5. Oglala Sioux Rural Water Supply System within Pine Ridge Indian Reservation

Table 3 summarizes the status of the Oglala Sioux distribution system on the Pine Ridge Indian Reservation. A total of 450 rural residences have facilities constructed to serve them. The pipelines now delivering water involve 114.6 miles of pipe greater than 3 inches in diameter and 74.2 miles of pipeline less than 3 inches in diameter, a total of 188.8 miles of pipeline. With projects now designed and proceeding toward construction award, there are 1,130 services and 405.5 miles of distribution and service pipelines. These projects will be started in FY 1996 and will require FY 1997 appropriations for completion.

TABLE 3
PROGRESS ON OSRWSS DISTRIBUTION SYSTEM

OSRWSS Project	Status	Residential Connections (number)	Larger Pipeline > 3" (miles)	Smaller Pipeline < 3" (miles)
White Clay/Wakpamni	Operating	187	38.8	26.1
Slim Buttes	Operating	76	27.5	14.9
Kyle North	Operating	77	15.2	13.1
Kyle to Sharps Corner	Operating	107	26.6	17.1
West Boundary	Operating	3	6.5	3.0
Manderson Loop	Construct Start FY 96	509	70.7	74.7
Kyle to Allen	Construct Start FY 96	171	51.5	19.8
Totals		1,130	236.8	168.7

6. West River/Lyman-Jones Rural Water System

Construction of the WR/LJ systems was initiated in October of 1993. To date, as shown in Table 4, WR/LJ has completed construction of distribution mainline to serve 344 rural locations. Because of the urgent need for water, the WR/LJ Board has entered into interim water supply agreements with municipalities within their service area. With completion of the OSRWSS core system pipeline, these communities will become recipients of project water that meets Safe Drinking Water Act Standards, and the water supplied to rural users will be of much superior quality to that presently being supplied. With projects now under construction and those in final design, there will be a total of 687 connections served by 1,313 miles of pipeline. The Grindstone South project will be completed with FY 1996 funds appropriated last year. The projects now in final design will be made possible by funds in this request for FY 1997.

TABLE 4
PROGRESS ON WR/LJ DISTRIBUTION SYSTEM

WR/LJ Project	Status	Residential Connections (number)	Larger Pipeline > 1.5" (miles)	Smaller Pipeline < 1.5" (miles)
Creighton	Operating	89	179.0	8.0
Elbon	Operating	136	274.0	13.0
Kadoka	Operating	119	262.0	11.0
Grindstone South	Construction	73	128.0	7.0
Reliance North	Design	60	110.0	6.0
Reliance South	Design	115	210.0	11.0
Pierre to Vivian Core Branches	Design	95	150.0	9.0
Totals		687	1,313.0	65.0

7. Rosebud Sioux Rural Water System

Construction is scheduled to begin this summer on the Rosebud Sioux Rural Water System. The initial 40 miles of pipeline will bring high quality water and improved fire protection to the 375 people who live in the communities of He Dog and Upper Cut Meat and surrounding rural areas. The design, right-of-way and cultural resources work are being done in FY 1996 for the Ring Thunder/Horse Creek/Mission and Parmalee/Black Pipe/Corn Creek components. A construction contract is scheduled for award on the Ring Thunder/Mission project later this summer. The 65 miles of pipeline to be constructed in FY 1997 would serve several hundred homes that currently have either marginal water supply (very poor quality and inadequate quantity) or no water at all. Design and right-of-way work would also be done in FY 1997 for FY 1998 construction projects. The Tribe has made major accomplishments in FY 1995 and 1996, and the Rosebud people are anxiously looking forward to the benefits that the Mni Wiconi Project can provide.

8. Lower Brule Rural Water System

The Lower Brule Rural Water System status is, at the present time, in the study and design stage. The Needs Assessment and Water Conservation Plan are being completed. These are prerequisites to release of construction funds. An analysis of existing facilities is being performed to determine compatability with proposed project facilities. Preliminary design work and design report is currently in early stages, with construction of new facilities programmed to begin in fiscal 1997. Currently the system has accepted ownership of and authority for operation and maintenance of the Lower Brule and West Brule Community water distribution systems, which were programmed to that purpose in the *Final Engineering Report*. Fiscal Year 1997 funds will also be for some needed improvements to those systems and to begin Phase 1 construction of new facilities. Phase 1 will begin with the core system pipeline from Lower Brule Community toward the Medicine Butte area south of the Community.

9. Closing

In our testimony above, we described the uniqueness of this project in meeting basic human needs in the midst of poverty. We close by asking the Subcommittee to consider additional factors:

- FY 1997 is the fourth year of construction. At the conclusion of FY 1996, we are on schedule for completion in FY 2003;
- We are on schedule with design of FY 1997 facilities and need the FY 1997 funds to continue construction contracts and initiate new ones;
- The following finding of Congress in Public Law 100-516, as amended, places the Nation on the strongest of moral grounds in this project:

> *...the United States has a trust responsibility to ensure that adequate and safe water supplies are available to meet the economic, environmental, water supply and public health needs of the Pine Ridge, Rosebud and Lower Brule Indian Reservations...*

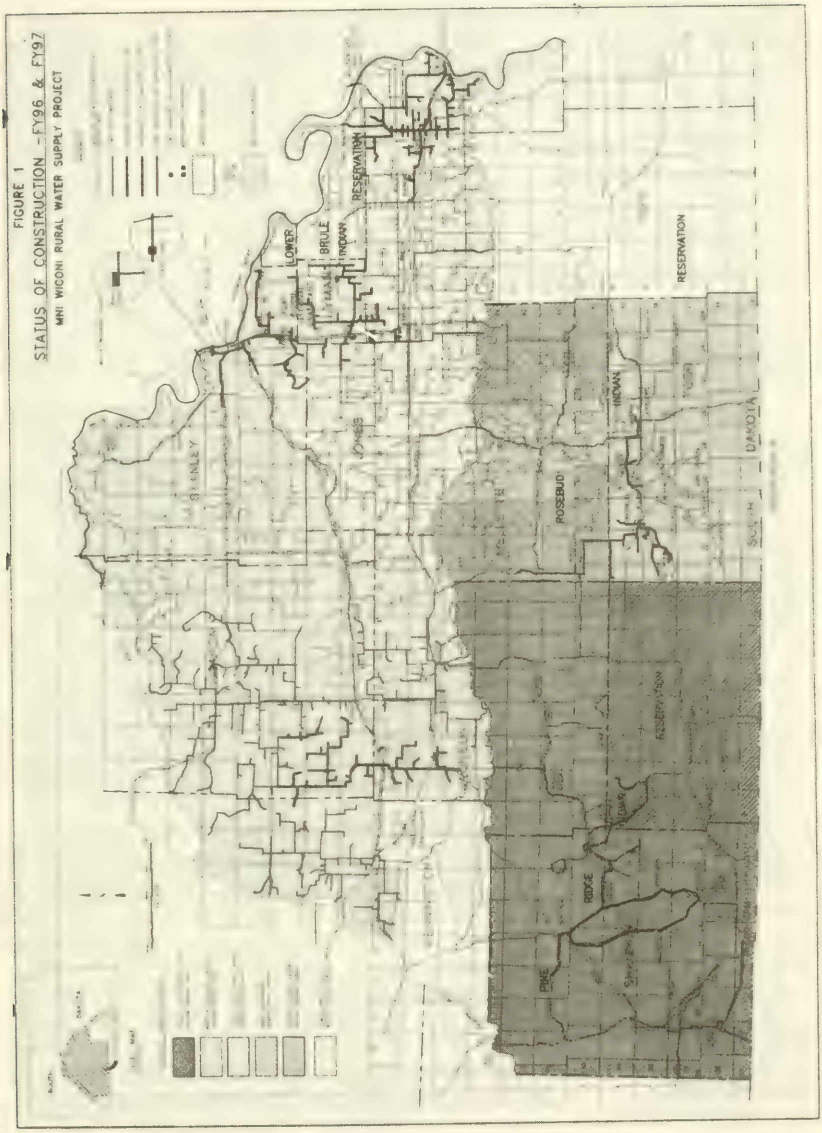

FIGURE 1

STATUS OF CONSTRUCTION -FY96 & FY97

MNI WICONI RURAL WATER SUPPLY PROJECT

Mr. CORDES. Mr. Chairman and Members of the Committee, I join the other project sponsors in urging your approval of the $38.5 million for fiscal year 1997. Your continued support is essential to the successful completion of this much-needed domestic water project. We have made wise use of the funds that you have provided in response to our previous requests.

People that will be served by the West River/Lyman-Jones rural water systems have no other choice of water supply. The deep-well water that they are now using is the kind of water that will actually plug a pipe with mineral deposits within a year. Mni Wiconi Project water will give our people safe drinking water in their homes for the first time in their lives. Prior to this project, I hauled the only safe drinking water that we had on our ranch 25 miles from Wall, South Dakota. While much progress has been made we still have two-thirds of our membership suffering from very inadequate water supplies.

As project sponsors, we have agreed to a development schedule on the intake, treatment plant and core system pipeline. This schedule is an efficient use of appropriated funds and, at the same time, it provides all project sponsors equal access to quality water.

We recognize that in the current budget situation it will be 2003 before our last membership is served. However, ultimate delivery of quality water by this project will reward our membership for the faith that they have had in us during the lengthy development period.

The State of South Dakota continues to provide strong leadership and needed appropriations for the Mni Wiconi Project. The State, in difficult budget years, has placed a very high priority on quality water for its rural population. The South Dakota Legislature on February 24th, 1996, appropriated our requested amount of $500,000 to meet the non-Federal match requirements for the non-Indian portions of the Mni Wiconi.

As President of the West/River Lyman-Jones systems, I request that you increase the administration recommendation of $28.3 to our fiscal year 1997 request of $38.5 million. All the project sponsors have participated in developing this request. I assure you that we will make timely use of these funds and deliver quality drinking water to the people of western South Dakota.

I thank you for your continued support.

Mr. Kindle, President of the Rosebud Sioux Tribe, will now give his testimony.

Mr. KINDLE. Good afternoon, Chairman Myers, and Members of the Committee. I want to thank you for this opportunity to discuss the Rosebud Sioux rural water system. This important project will improve health and economic conditions on the Rosebud Reservation.

On behalf of the Rosebud Sioux, I want to thank you for your past efforts in making all of this possible.

1996 will be a landmark year for Rosebud. We will have actual construction beginning this spring. And by the end of this fiscal year, we should Upper Cut Meat/He Dog Project constructed. This project will provide high quality water and improved fire protection to about 375 people, as well as good drinking water to the He Dog Day School.

We should also have Ring Thunder/Mission Project under contract with construction in progress. In 1996, we are working to complete plans, specifications and right-of-way for the remainder of the Ring Thunder/Mission/Horse Creek system, and for the third priority area, Parmelee/Black Pipe/Corn Creek. We are also planning a modest facility to house the tribal personnel employed in planning, design, construction, operation and maintenance activities.

Our budget request for 1997 is $5.8 million, somewhat greater than what the administration used in developing their budget proposal. We hope that Congress will agree that in this new era of water development and utilization, our project is deserving of this level of funding.

At this level of funding we will be able to construct the Parmelee/Black Pipe/Corn Creek Project and complete Ring Thunder/Mission. These two projects will extend our high quality but limited groundwater to hundreds of homes with very poor quality water or no water at all.

In 1997, we will also be completing additional design and right-of-way work in order that we have a productive construction season in 1998. However, we realize that our quality groundwater resources are scarce and can only be extended so far.

So in summary, I want to say it is hard to say how the toll—we can measure the toll on diseases that happen with the water we have there. We don't expect the Mni Wiconi Project to cure all of our ills, but we do know that it will make a difference. So with that, I want to thank you.

And I will turn this over to Mr. Jandreau, Chairman of the Lower Brule Sioux.

Mr. MYERS. You only have about 30 seconds left, but your entire statement will be placed in the record.

Mr. JANDREAU. Thank you.

I appreciate the opportunity to come before you. Our reservation is small but our needs are just as great as the larger areas. And I appreciate very much your listening to us and giving us this opportunity to testify before you.

Thank you.

Mr. MYERS. Thank you.

I apologize that we ran out of time, but thank you.

[The statement of Mr. Jandreau follows:]

TESTIMONY OF CHAIRMAN MICHAEL JANDREAU
MARCH 5, 1996

Honorable Chairman, Members of the Committee:

I am Michael Jandreau, Chairman of the Lower Brule Sioux Tribal Council. Lower Brule Sioux Tribal Reservation in central South Dakota may be a small reservation, area-wise, but our people have the same shortage of good quality water over much of the reservation that exists for the Pine Ridge and Rosebud Reservations and for the West River/Lyman-Jones service area of the Mni Wiconi Project. Stock dams are silting up everywhere, wells are very expensive to construct, and the water quality from those wells is terrible, resulting in high operation and maintenance costs.

We have another problem. Many of our people's income level is very low, well below the poverty level. Our unemployment level as a percentage of our population is very high. We are doing everything we can to reverse both of these numbers. We have developed a recreation-hunting-fishing enterprise, a new motel and a new convention center. Our tribal construction company is growing, and our tribal farm benefits a large number of people. Because of inadequate funding from Indian Health Service, we must rely upon the Mni Wiconi Project to assure ourselves of a permanent, reliable and safe supply of drinking water for all of our people over all of our reservation.

We are pleased that Lower Brule has become a part of the Mni Wiconi Project, and we are striving to begin the construction of our part of the water system. We plan to do significant construction in fiscal 1997. We need construction funds to accomplish that and to keep the project on schedule.

We are faced with a need for decent water for our people. Mni Wiconi will fill that need. We respectfully request your support of the increase in funding necessary to complete this project in the time frame set forth in the Mni Wiconi Act, as amended.

TUESDAY, MARCH 5, 1996.

MID-DAKOTA PROJECT

WITNESS

KURT PFEIFLE, GENERAL MANAGER, MID-DAKOTA RURAL WATER SYSTEM

Mr. MYERS. Kurt Pfeifle, General Manager, Mid-Dakota Rural Water Systems, pleased to have you back.

Mr. PFEIFLE. Glad to be back.

Mr. MYERS. Your prepared statement will be placed in the record, and you may proceed in the next 5 minutes as you care.

Mr. PFEIFLE. Thank you very much.

Chairman Myers, Ranking Minority Member Bevill, my name is Kurt Pfeifle. I am the General Manager of the Mid-Dakota Project. Also with me here today is our Chairman, Eugene Water, and one of our directors, Don Olsen, sitting in the back.

Before I start, I certainly want to echo the comments made by our Representative Tim Johnson. He was absolutely right when he talked about the graciousness that you have extended toward South Dakota projects when we come up here. South Dakota projects are going to miss you and this committee will miss you, as well as all of Congress. We are losing two very good leaders.

Mr. MYERS. Thank you.

Mr. BEVILL. Thank you.

Mr. PFEIFLE. Today, I am here on behalf of over 30,000 people who will receive good quality drinking water from our project, many for the first times in their lives. We are seeking your support for an appropriation of $29.686 million for fiscal year 1997.

The need for good quality water in central South Dakota has been well-documented and does not need to be revisited during this hearing. Recognizing the need for quality water, Congress authorized the Mid-Dakota Project in October of 1992. The financial package included an $85 million grant and a $15 million loan. In addition, the State of South Dakota committed $8.4 million in grants and several other entities have provided about half a million dollars in support.

Future water users have contributed over $1.2 million in hook-up fees and will pay $2.8 million per year in water service fees to operate the system and repay the loan. It is important to note that over 21 percent of the total project development costs and all of the operational and maintenance costs will be funded from sources of a Federal grant.

Your support will help people who have expressed by pledging their own resources, a desire to help themselves. This committee has recognized the Mid-Dakota Project as a bona fide project since fiscal year 1994. Through your efforts, Congress appropriated $2 million for Mid-Dakota in 1994; $4 million in 1995 and $11.5 million in 1996. With these monies and over $6.3 million in previously appropriated State funds, we have been able to make substantial progress on the construction of our water intake which is currently at the 87 percent completion level and on target for a completion date of April 26th.

The water treatment plant is currently at the 65 percent completion level and should be substantially complete by October 1st of 1996. In our raw waterline, linking those two facilities is in-ground and ready for operation.

Of these three components only the water treatment plant will require further funding in fiscal year 1997. We will need approximately $105,000 to close that contract. The intake and the treatment plant rising out of the prairie has given hope to the people in South Dakota and raised their confidence level that the Federal Government will see this project through.

On March 14th, mid Dakota will be opening bids for two more major contracts, contracts numbered 3–1–B and C will provide for the emplacement of nearly 43 miles of large diameter ductile iron or steel pipeline. The pipeline will run from the water treatment plant to the Highmore water storage tank and we also have a schedule to bid—set a bid opening for the Highmore water storage tank on March 28th.

Funding and completion of these three project components, the two pipeline contracts and the water storage facility, will provide the project with the hydraulically operable portion of the rural water system. Completion is critical in order to perform tests of water treatment plant equipment, search control system and high service pumps so that we can close that contract out.

The balance of our request is for the construction of some of our rural service areas. We have six rural service areas that we are looking to get under way and we feel that those six service areas are needed so that we can have what I will call the critical mass of enough users connected to our systems to actually justify the start-up and operation of a 9-million-gallon-a-day treatment plant. So it is absolutely necessary that we get some users on board and start serving water so we can collect some revenue.

With that, I am going to cut my comments short and get you back on track.

Thank you.

Mr. MYERS. Well, thank you very much for your fine testimony. Good to see both of you again.

Thank you.

Mr. PFEIFLE. Thank you.

[The statement of Mr. Pfeifle follows:]

PREPARED STATEMENT BY

KURT PFEIFLE
GENERAL MANAGER

P.L. 102-575

MID-DAKOTA RURAL WATER SYSTEM, INC.
P.O. BOX 318 ♦ MILLER, SOUTH DAKOTA ♦ 57362-0318
(605) 853-3159

BEFORE THE

SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT OF THE U.S. HOUSE OF REPRESENTATIVES APPROPRIATIONS COMMITTEE

Honorable John Meyers, Chairman

ROOM 2362, RAYBURN HOUSE OFFICE BUILDING
MARCH 5, 1996

TESTIMONY OF KURT PFEIFLE

BEFORE THE

ENERGY AND WATER DEVELOPMENT SUBCOMMITTEE

U. S. HOUSE OF REPRESENTATIVES COMMITTEE ON APPROPRIATIONS

MARCH 5, 1996

1. FY 1997 FUNDING REQUEST:

Chairman Meyers, Ranking Minority Member Bevill, distinguished committee members. The Mid-Dakota Rural Water System respectfully requests fourth year construction funding for the Project in the amount of ~~$29.367~~ 29.686 million as follows:

CASH FLOW REQUIREMENTS FY 1997:

Project Feature	Contract Number	Cost ($1,000)	FY 1997
Oahe Water Treatment Plant	2-1	10,115	105
Main Pipeline to Blunt, SD	3-1B	7,823	6,073
Main Pipeline to Highmore WST	3-1C	5,439	4,189
Canning Distribution Sys.	4-1A	7,335	6,234
Okabojo Distribution Sys.	"	"	"
Highmore West Distribution Sys.	"	"	"
Onida Distribution Sys.	"	"	"
Agar Distribution Sys.	4-1B	7,040	5,984
Gettysburg Distribution Sys.	"	"	"
Highmore Tower	5-1	1,400	1,100
Onida Tower	5-2	423	423
Okabojo Tank	"	108	108
Agar Tower	5-3	353	353
Gettysburg Tank	"	668	668
Control System	4-1A&B		178
O & M Center & Equipment			106
Town System Improvements	4-1A&B		150
Subtotal Construction RWS			25,671
Other Cost RWS			4,000
Total Project Costs RWS			29,671
Federal Appropriations RWS			29,671
Non-Federal RWS			0
Wetland Component			(1) 15
Total Federal Appropriation			**29,686**

The State of South Dakota has again demonstrated its strong support for the Mid-Dakota project. The Legislature appropriated another $1.0 million to the Project in this legislative session. Bringing the total appropriated by the State to over $7 million.

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(1) For operation cost of water supply to the Hyde Waterfowl Production Area (WPA)

2. RECAP OF PREVIOUS FUNDING:

The Mid-Dakota project was authorized in October 1992, under Public Law (PL) 102-575. The financial package authorized for the Rural Water System component included an $85 million grant, and a $15 million loan. (The loan bears interest equal to the government's cost of borrowing.) The State of South Dakota has also committed $8.4 million in grants as their contribution to the project. Please note that over 21 percent of the project will be funded through sources other than federal grants and all Operation and Maintenance costs will be paid by the water users. Operation and Maintenance costs of the Wetland Componant will be paid using an annual appropriation from the federal government in cooperation with the U.S. Fish and Wildlife Service.

In fact, an agreement for repayment of loan funds to the federal government endorsed by Mid-Dakota and the U.S. Bureau of Reclamation would provide for repayment of federal funds at or above the 15 percent level currently authorized by the federal government.

Mid-Dakota wishes to thank this committee for its support over the past three years. In FY 1994, Mid-Dakota received $2.0 million in federal funding, which was subsequently reduced to $1.5 million through underfinancing. In FY 1995, we received a $4.0 million appropriation. The amount was reduced through underfinancing, to $3.6 million. In FY 1996, we received an $11.5 million appropriation. Again, this amount was reduced through underfinancing, to $10.902 million. However with these monies and funds appropriated by the State of South Dakota, we have been able to make a substantial start on project construction:

HISTORICAL AND CURRENT FISCAL YEAR CASH FLOWS:

Project Feature	Contract Number	Cost ($1,000)	FY 93 & before	FY 94	FY 95	FY 96
Oahe Intake & Pump Station	1-1	3,883	0	168	2,397	1,318
Oahe Water Treatment Plant	2-1	10,110	0	0	3,846	6,164
Raw Water Pipeline	3-1A	1,550	0	0	558	992
Main Pipeline to Blunt, SD	3-1B	7,741	0	0	0	1,750
Main Pipeline to Highmore WST	3-1C	5,468	0	0	0	1,250
Canning Distribution Sys.	4-1A	7,702	0	0	0	0
Okabojo Distribution Sys.	"	"	"	"	"	"
Highmore West Distribution Sys.	"	"	"	"	"	"
Onida Distribution Sys.	"	"	"	"	"	"
Agar Distribution Sys.	4-1B	7,392	0	0	0	0
Gettysburg Distribution Sys.	"	"	"	"	"	"
Highmore Tower	5-1	1,400	0	0	0	300
Onida Tower	5-2	423	0	0	0	0
Okabojo Tank	"	250	0	0	0	0
Agar Tower	5-3	353	0	0	0	0
Gettysburg Tank	"	668	0	0	0	0
Control System	4-1A&B		0	0	0	0
O & M Center & Equipment			0	25	32	21
Town System Improvements	4-1A&B		0	0	0	0
Subtotal Construction RWS			0	193	6,833	11,795
Other Cost RWS			1,814	1,608	1,180	2,098
Total Project Costs RWS			1,814	1,801	8,013	13,893
Federal Appropriations RWS			0	1,500	3,500	10,770
Non-Federal RWS			1,814	301	4,513	3,123
Wetland Component			0	0	100	132
Total Federal Appropriation			0	1,500	3,600	10,902

FY 1996 was the first year in which Mid-Dakota received the administration's budget support. It is our understanding that the administration, through the U.S. Bureau of Reclamation continues its support for the construction of the Mid-Dakota project.

To date the State of South Dakota has provided $6.37 million towards the development of the Mid-Dakota project (not including $1.0 million appropriated this legislative session). This total includes $100,000 in 1988, $50,000 in 1989, 75,000 in 1990, 145,000 in 1991, $1.5 million in 1992, $2.5 million in 1993, $1.0 million in 1994 and $1.0 million in 1995 (actual appropriations do not necessarily correspond to amount expended in a particular fiscal year). The state funds, combined with local funds and user fees, were used to complete planning, environmental and engineering work to the point that in-the-ground project construction could commence the very first year of federal appropriation (FY 1994).

3. PROGRESS AND NEED FOR FY 1997 FUNDING:

Elements of the Mid-Dakota project have been built (or are being built) utilizing federal and state funding sources in anticipation of water deliveries beginning in calendar year 1997. Contracts that are under construction or will be awarded this fiscal year, in order of priority are as follows:

❶ **Contract 1-1: Oahe Intake and Pump Station.** Construction is currently underway. This contract was awarded in August, 1994 to Industrial Builders, Inc., of Fargo, N.D., for a bid price of $3.958 million. The contract is more than 86 percent complete and on schedule for an April 1996, completion. The Oahe Intake and Pump Station when complete will draw raw water from the Missouri River and pump the water to the Water Treatment Plant for processing.

❷ **Contract 3-1A: Raw Water Pipeline.** Construction is currently underway. This contract was awarded in June 1995 to Larry's Inc., of Gillette, WY, for a bid price of $1.737 million. The contract is more than 96 percent complete and is anticipated to be finished in the near future. This contract consists of approximately four miles of 30" diameter ductile iron pipe and roughly the same distance of various sizes of PVC (plastic) pipe. Nearly one and one half miles of 12" PVC pipe was put in place for raw water deliveries to the Hyde Waterfowl Production Area (part of the Mid-Dakota Wetland Enhancement Component).

Contracts 1-1 and 3-1A are scheduled to be complete in the current federal fiscal year and do not require additional funding from federal or state sources.

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❸ **Contract 2-1: Oahe Water Treatment Plant:** Construction is currently underway. This contract was awarded October 1994 to John T. Jones Construction Co., Fargo, N.D., for a bid price of $9.920 million. This contract is over 63 percent complete and on schedule for a September 1996, completion (except for work which cannot be completed untill other contracts are in place). An additional **$105,000** is requested for construction purposes in FY 1997.

❹ **Contract 3-1B: Treated Water Main Pipeline:** Bid opening is scheduled for March 14, 1996 for this contract. Mid-Dakota has budgeted $7.823 million for the construction of this section of main pipeline. We anticipate contractor earnings of 1.75 million in FY 1996. The Project will require an appropriation of **$6.073 million** in FY 1997 to complete the contract.

❺ **Contract 3-1C: Treated Water Main Pipeline:** Bid opening is scheduled for March 14, 1996 for this contract. Mid-Dakota has budgeted $5.439 million for the construction of this section of main pipeline. We anticipate contractor earnings of 1.25 million in FY 1996. The Project will require an appropriation of **$4.189 million** in FY 1997 to complete the contract.

❻ **Contract 5-1: Highmore Water Storage Tank:** Bid opening is scheduled for March 1996, for this contract. Mid-Dakota has budgeted $1.4 million for the construction of this contract. We anticipate contractor earnings of $300,000 in FY 1996. The Project will require an appropriation of **$1.1 million** in FY 1997 to complete the contract.

Funding for contracts 2-1, 3-1B, 3-1C & 5-1 is absolutely necessary in order to continue and complete contracts awarded or otherwise under construction in FY 1996. $13.5 million is required to complete the contracts in FY 1997 (including administration, engineering, inspection, contingencies etc.) and keep the Project out of a default

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situation. Completion of contracts 3-1B, 3-1C and 5-1 are critical in order to perform tests of the water treatment equipment, surge control system and high service pumps so that Contract 2-1 can progress toward close out. Completion of these contracts only, will not provide for the delivery of water to any users.

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❼ **Contracts 4-1A & 5-2: Canning, Okobojo, Highmore West and Onida Service Areas (4-1A) and Okobojo and Onida water storage tanks (5-2):** Bid opening is scheduled for August 1996. Mid-Dakota has budgeted $7.335 million for the construction of contract 4-1A and $531,000 for contract 5-2. We anticipate contractor earnings of **$6.234 million** for contract 4-1A and **$531,000** for contract 5-2 in FY 1997.

Funding for contracts 4-1A and 5-2 is crucial. With construction of contracts 1-1, 2-1, 3-1A, 3-1B, 3-1C and 5-1 Mid-Dakota will have a hydraulically operable portion of the project complete but with nowhere to deliver water produced. Funding for contracts 4-1A and 5-2 provides for "critical mass" needed to provide enough users to allow the start up of our water treatment plant. $21.750 million is required for completion of contracts 2-1, 3-1B, 3-1C, 5-1 and 5-2 and for adequate progress on contract 4-1A (including administration, engineering, inspection etc.). Water Treatement Plant start up and operator training need to be completed for contract close out. If we can not start up and operate the water treatment plant, what is left of our equipment warranties will run out before we get the bugs worked out. We will also be incurring utility and insurance expenses on the plant. Although adequate, this level of funding is not enough to overcome the lag in construction progress created by three prior years of insufficient funding.

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❽ **Contract 4-1B & 5-3: Agar and Gettysburg Service Areas (4-1B) and water storage tanks (5-3).** Bid opening is scheduled for August 1996. Mid-Dakota has budgeted $ 7.040 million for the construction of contract 4-1B and $1.021 million for contract 5-3. We anticipate contractor earnings of **$5.984 million** for contract 4-1B and **$1.021 million** for contract 5-3 in FY 1997.

❾ **Other FY 1997 Construction and Project Costs.** Mid-Dakota is requesting an additional **$4.0 million** in Other Project Costs. Other Project Costs include but are not necessarily limited to; Engineering, Inspection, Legal, Administration, U.S. Bureau of Reclamation oversight, and contingencies. Additionally **$434,000** is requested for expenditures anticipated for the O & M Center & Equipment, Town system improvements and the Control system. It is anticipated that a significant portion of the contingency budget will be spent hooking up additional users who have not yet contracted for water. Experience on other rural water systems has shown that once an actual bid date for construction of a given service area is announced, additional users will contract for service. Finally, **$15,000** is requested for operating costs of the Hyde WPA.

With the construction of contracts 4-1B and 5-3, in addition to preceding contracts, Mid-Dakota would be in the position to begin water service to eight rural communities, 856 individual rural connections serving a population of approximately 5,712 and approximately 44,000 livestock units (Hogs, sheep, cows). Of course the more users we can connect on to the System the greater the chance of operating the System (water treatment and delivery) in the black. $29.686 million is required for completion of contracts 2-1, 3-1B, 3-1C, 5-1, 5-2 and 5-3 and for adequate progress on contract 4-1A and 4-1B (including administration, engineering, inspection etc.)

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4. ADDITIONAL FACTORS FOR CONSIDERATION:

- Mid-Dakota has completed all pre-construction requirements
- We continue to seek and acquire easements and sites for project facilities. It is important to note that easements are being obtained from private land owners without charge.
- Mid-Dakota Rural Water is considered a high-priority project by the South Dakota Department of Environment & Natural Resources and is listed in the late Governor Mickelson's Water Initiative in the "Short-term" category.
- Mid-Dakota continues to receive strong support and a high- ranking priority in Governor Janklow's Administration.

- A unique provision included with Mid-Dakota's authorization is a Wetland Development and Enhancement Component. In conjunction with various federal, state and local agencies, the Mid-Dakota sponsors put together a proposal that will enhance, restore, create and maintain wetland areas. The use of both treated and untreated Missouri River water is envisioned to enhance existing wetland acres. Land acquisition adjacent to existing wetlands and development of constructed wetlands using waste water are also authorized. Facilities for delivery of water to the Hyde Waterfowl Production Area are nearing completion will be operable in time for the 1997 and possibly 1996 brood rearing season(s). **$15,000** is requested for Operating costs of the Hyde WPA pursuant to P.L. 102-575.

- The Mid-Dakota Rural Water System represents a contemporary water project designed to alleviate a regional water supply problem. The project has been developed due to the cooperation of a diverse group of interests that include, but are not limited to the local residents, state and federal officials, water interests, public power interests and wildlife groups. All these groups may seem to have different interests, but to survive in rural American in the 90's, we must learn to compromise a little and recognize and accommodate the other person's needs. This can be seen in the agreement that was reached between Mid-West Electric Consumers Coop., and the Mid-Dakota project. Under the agreement, the project will utilize Pick-Sloan pumping power for six months of the year.

5. CLOSING:

In conclusion, we ask this committee to continue its strong support of the Mid-Dakota rural Water System. We understand and approve of the constraints being placed on federal spending, with a view toward balancing the budget. However, with project construction underway, it is vital that we receive a level of funding which will allow us to honor contracts in progress and provide sufficient user connections to allow start up of our water treatment plant. Insufficient federal funding may lead to default on one or more of these contracts and further delay water deliveries. The result would be loss of jobs and contractor remobilization at a later date, which would be expensive for us and for the U.S. Government.

May we also point out that Mid-Dakota is a national project in every sense of the word. Our state is blessed with many things; however, industrial resources are not one of them. Conservatively, over 60% of the project funds will be spent out of State. Ductile iron and steel pipe, meters, valves and PVC pipe and resin are being purchased from states like Alabama, Indiana, Texas and Louisiana. We have contractors from North Dakota, and Wyoming as well as Subcontractors from the state of Washington, Wisconsin and Kansas: I could go on. The point is, Mid-Dakota will have a ripple effect which will be felt nationwide.

Mid-Dakota has entered into a unique partnership with the federal government. The private sector is planning and constructing this project, with oversight from the USBR. This partnership has worked very well, as has been demonstrated in that, so far, construction underway is progressing a little ahead of schedule and a little under budget. The value of this kind of partnership has also been demonstrated with the completion of the highly successful WEB Water Project, which is operating without federal assistance and is repaying its federal construction loan on schedule, since its completion in 1991.

Now that construction is well under way, it is important to the people we will eventually serve, and we hope its is equally as important to Congress, that Mid-Dakota be in a position to deliver water as quickly as possible. This would be the most efficient use of the federal and state monies which have already been committed.

Please help us deliver that water soon, by approving the full ~~$29.367~~ million appropriation we are seeking for FY 1997. Thank you very much 29.686

TUESDAY, MARCH 5, 1996.

PORTS AND WATERWAYS

WITNESS

JAMES W. BEAN, PRESIDENT, BEAN DREDGING CORPORATION OF BELLE CHASE, LOUISIANA

Mr. MYERS. We will now hear from the Dredging Contractors of America. Your prepared statement will be placed in the record. You may proceed as you like for 5 minutes.

Mr. BEAN. Thank you very much.

My name is Jim Bean and I am President of Bean Dredging Corporation in New Orleans, Louisiana. I am testifying today on behalf of the Dredging Contractors of America.

The U.S. dredging industry is grateful for the long and distinguished leadership of this subcommittee. The projects and programs funded by your work have provided the underpinnings for our economy and will stand as a lasting testament to your foresight. We consider you, Mr. Chairman, and you, Mr. Bevill, as our long-time friends and we wish both of you all the best in your retirement from elected public service.

Mr. MYERS. Thank you.

Mr. BEAN. Mr. Chairman, the dredging industry is—carries out work of approximately $540 million a year and hires about 12,000 skilled workers nationwide. The nationally important port and waterway improvement and shore protection projects considered by this subcommittee result in observable and documented benefits to the economy at every level. Dredging provides basic economic infrastructure.

We would like to take this opportunity to share with you our brochure describing our products, entitled "Saves"—"Who Saves When America Invests in Beaches, Waterways, Wetland and Ports," and I would like for you to look that over.

Mr. BEAN. Mr. Chairman, it will come as no surprise to you that DCA strongly opposes the administration's plans to abandon small ports and Federal shore protection programs. All the projects routinely maintained by the Corps provide basic economic support or for our citizens. The essentially flat O&M account works in practice to ensure that every maintained project has risen high on the priority list. There are numerous authorized projects across the country that are not maintained because of the tight budget constraint.

Mr. Chairman, the Corps provides enormous economies of scale in managing the dredging programs of the Nation. Dredging is an activity for which the State and local government rarely, if ever, maintain an engineering capability. By contrast, the Corps administers this complex program with fairness and with substantial consistency around the country. It procures or services on a national basis, ensuring as much contractor competition as possible.

It makes no sense to recreate such a specialized expertise at lower levels of government. In fact, sending this responsibility to the State and local governments will decrease overall efficiency and could be considered an unfunded mandate.

Mr. Chairman, there is also an urgent need in the 1996 supplemental appropriations. Several Corps' districts are running out of funds, due in major part to the national disaster relief the Corps has been forced to fund out of the regular accounts. We know there is a need in fiscal 1996 for $5.5 million more for Texas ports and waterways, $10 million more for Ports in Jacksonville, Canaveral, and Tampa, and $2 million for the busy Athafalaya Basin in Louisiana. The Savannah District will be out of funds to maintain a huge port in Savannah by the end of next month. The President recently said he was going to seek a supplemental appropriations bill to help pay for flood relief. We hope that you will urge your colleagues to support that effort and in so doing restore the Corps' accounts.

Mr. Chairman, the size of ships trading in the world marketplace continues to grow, pushing the limits of America's major seaports. One of the largest world shipowners recently christened a container ship that cannot, fully loaded, call on any port north of the Panama Canal. There are 11 more ships like that in the pipeline. Due to this trend, ports are asking the Corps to at least maintain the authorized Federal channels while planning is under way to deepen the ports where it becomes economically justifiable.

Last year, this subcommittee's report language instructed the Corps to take a more aggressive approach to the Lower Mississippi River maintenance. This language has been helpful in raising the consciousness in the Corps' district. Similar language should be considered for all the major seaports so that an aggressive, advanced maintenance mentality becomes standard operating procedure. We urge you to look favorably on the O&M request and to increase the request for the stated purpose of port maintenance.

Mr. Chairman, the shortage of sand for beach nourishment work in South Florida, Broward and Dade counties has become a serious problem. We are working with the State of Florida to assist them in encouraging you to fund additional sand investigations there.

We are concerned about the cuts in the research programs of the Corps. We think there is a lot of work to be done in the environmental research area.

Finally, Mr. Chairman, we would like your continued efforts to support the original intent of Congress to reduce the utilization of the Corps' minimum fleet. In practice, what has happened is the private sector is allowed to bid on the work once the set-aside work for the Corps plant has been put in place. In effect, we are being the emergency or back-up for the Corps' dredges and we think that should be reversed.

Four years ago, this committee was approached, and you all helped us with that problem, and we have a plan that we are working with the Corps and other parts of Congress to help with that situation.

Property dredge owners are ready, willing and able to respond to the demands of the marketplace and we are asking Congress to help us create the conditions to succeed. Solving our problem this way will also help you find resources to fund other needed projects for budgetary savings.

Thank you very much for your time and attention.

Mr. MYERS. Thank you very much, Mr. Bean. Thank you for your very fine statement.

[The statement of Mr. Bean follows:]

Statement of
James W. Bean
President
Bean Dredging Company
on behalf of the
Dredging Contractors of America
before the
Subcommittee on Energy and Water Development
of the
Committee on Appropriations
May 5, 1996

Good afternoon. My name is Jim Bean. I am President of Bean Dredging Corporation of Belle Chase, Louisiana. I am testifying today on behalf of the Dredging Contractors of America, the national trade association of the U.S. dredging industry. Thank you for this opportunity to once again share our views on the future of the Nation's civil engineering programs. The dredging industry is grateful for the long and distinguished leadership of this Subcommittee. The projects and programs funded by the Energy and Water Development bill have provided the underpinnings of our economy and will stand as a lasting testament to your foresight and determination. We consider you, Mr. Chairman and Mr. Bevill, to be our long time friends and we wish both of you all the best in your retirement from elected public service.

Mr. Chairman, DCA's members together compete for approximately 75 percent of the construction and maintenance dredging contracts advertised for competitive bid by the U.S. Army Corps of Engineers (Corps). Our members also accomplish all of the private sector seagoing hopper dredge work allowed to be undertaken for the government by the private sector. An essential component of the nation's maritime industrial base, the entire market for the U.S. dredging industry is worth approximately $540 million per year -- a modest investment in light of the huge returns to the economy. The federal government is by far our largest customer. As a direct result of your investment, approximately 12,000 skilled workers nationwide are employed by our industry.

The nationally important port and waterway improvements and beach restoration projects that are considered by this Subcommittee result in observable and documented benefits to the economy at every level. On any casual visit to our busy ports and renourished beaches, it is clearly evident that these investments are paying substantial dividends. The process itself is relatively invisible to the public, but dredging provides basic economic infrastructure. We would like to take this opportunity to share with you DCA's new brochure describing our products entitled 'Who Saves When America Invests in Beaches, Waterways, Wetlands and Ports.'

Mr. Chairman, although water transportation will always be the most economical and environmentally friendly mode of transportation, and beaches the nation's number one vacation destination, the decline in overall demand for our services and the continued use of less efficient government dredges have left our companies struggling to survive. In the last six years, four of DCA's former members were forced out of business due in large part to the lack of sufficient business to sustain them. With the exception of a handful of port improvements now underway, maintenance dredging constitutes the bulk of our work. Even maintenance dredging has come to a halt in some areas. It will come as no surprise to you that DCA strongly opposes the Administration's plans to abandon small ports and the federal shoreline protection program. While some may not see obvious national benefits, certainly a subjective assessment in any respect, all of the projects that are routinely maintained by the Corps provide basic economic support for our citizens. In fact, the essentially flat operations and maintenance account works in practice to ensure that every maintained project has risen high on the priority list. There are numerous Congressionally authorized projects across the country that are not maintained because of the tight budget constraint.

One thing we know, however: the Corps provides enormous economies of scale in managing the Nation's dredging services. Knowing that there is always room for improvement, the Corps understands the unique marine construction activity called dredging. It is an activity for which state and local government rarely, if ever, maintain an engineering capability. By contrast, the Corps administers this complex contracting program with fairness and with substantial consistency around the country. The Corps procures our services on a national basis and thereby encourages as much contractor competition as possible. It makes no sense to recreate such a specialized expertise in every state or even local government. In fact, sending this responsibility to state and local governments will decrease overall efficiency and could be considered an 'unfunded mandate.' Our ability to compete as a nation in very tough international markets would be diffused and diluted.

Mr. Chairman, there is also an urgent need for a 1996 supplemental appropriations bill. Several Corps districts are running out of funds due, at least in major part, to the national disaster relief the Corps has been forced to fund out of regular accounts. In conversations we have had with some of the districts, we know there is a need this year, 1996, for $5.5 million more for Texas ports and waterways, $10 million more for ports in Jacksonville, Canaveral, and Tampa, and $2 million more for the busy Atchafalaya Basin in Louisiana. The Savannah District will be out of funds to maintain the huge container port in Savannah by the end of next month. When visiting the flood devastation in Oregon recently, the President said he was going to seek a supplemental appropriations bill to help pay for the damages. We hope that you will support that effort and in so doing restore the 1996 Corps' accounts. We also hope that you will share the urgency with your colleagues.

Mr. Chairman, the size of ships trading in the world marketplace continues to grow, pushing the limits of America's major seaports. One of the largest world carriers has recently christened a container ship that, when fully loaded, can not call on any port this side of the Panama Canal. This one company has eleven more such ships in the pipeline. Due to this trend, ports are asking the Corps to at least maintain the authorized federal channel while planning is underway to deepen the ports where it makes economic sense. Last year, this Subcommittee's report language instructed the Corps to take a more aggressive approach to the Lower Mississippi River maintenance. This language has been helpful in raising the consciousness of the Corps district and similar language should be considered for all the major seaports so that an 'advanced maintenance' mentality becomes standard operating procedure. The aggressive maintenance of our seaports can only occur if this Subcommittee appropriates enough into the O&M account to account for inflation and the new projects which have come on line. We urge you to look favorably on the O&M account and to even increase the budget request for the purpose of port maintenance.

Mr. Chairman, the shortage of sand for beach nourishment in the South Florida counties of Broward and Dade has become a serious problem. The federal shore protection projects covering the majority of these two counties' beach communities must have the highest benefit-cost ratios of any undertaken by the Corps, protecting over $10 billion worth of buildings. Because of the steep drop off in depth within the first mile seaward from the beach, there is only a limited amount of sand available in shallow waters for beach nourishment. Currently, there is an approximately ten year supply of sand off Broward County shores and much less than that off of Dade's. We would like to respectfully request an appropriation for the Corps to search for supplies of sand in water deeper than 100 feet in depth and will work with the Florida delegation to determine the amount needed. Using sand from deeper sources will require capital investments on our part, but a investments we would look forward to making.

Mr. Chairman, we are also very concerned about the cuts to the Corps dredging research programs, especially the new Dredging Operations and Environmental Research initiative. This research program is intended to respond to congressional concerns about the management of contaminated soil. We urge the Committee to work with the Corps to fund this program. We suggest requiring official reports to the Committee on the progress being made to solve crisis situations such as the one found in the New York/New Jersey metropolitan region.

Finally, Mr. Chairman, a problem that you are very familiar with. In response to 1978 legislation intended to encourage the development of a private sector hopper dredge fleet from scratch, DCA's members, including Bean Dredging Corporation invested heavily in fifteen modern hopper dredges to replace an aging fleet of federal vessels. Hopper dredging was the only major type of dredging that was not already privatized. (Hopper dredges are seagoing ships designed to excavate the outermost portion of navigation channels and to transport the soil in its hopper to the placement area.) In addition to industry's fleet, the Corps maintains a ‘minimum fleet’ of four hopper dredges which they manage from three different Corps district offices. The law allows the Corps to set aside work for the federal vessels in order to keep them ‘operational’ for national defense and emergency response. In most years, however, 30-40 percent of all of the available work is set aside. This level of utilization is far more than necessary to keep the dredges operational, in good working condition and ready to respond to emergencies. Our problem, simply stated, is that there is not enough work to keep both our fleet and the Corps dredges fully occupied. Higher utilization is required to create the investment environment needed to secure a robust and financially viable future.

When we came to this Committee for help four years ago, you included a provision giving us a chance to compete for a greater volume of work. Your provision has gone a long way to help the industry cope with declining demand. It even helped lure the largest dredge back to the country after an almost five-year absence. This added industry dredging capacity in the U.S. provides additional assurance that dredges will be at the Corps disposal for emergency response. Our problem is still serious, however, and we are working with the authorizing committee to adopt a new policy which would put industry’s fleet to work first and would save the government dredge capacity to back up industry in an emergency. We envision a federal fleet that will be able to respond rapidly, like the vessels operated by the Marine Spill Response Corporation, or the 4-day Ready Reserve Fleet ships managed under contract to the Maritime Administration. We would also like to work with you and the affected ports on this issue as it is considered by Congress. Under the scenario we suggest, we believe we can save the government at least four million per year per dredge while keeping the government dredges in a high readiness status. We would suggest moving forward with this plan on a dredge by dredge basis so as not make any irreversible decision as the program unfolds and ask the Committee to consider including a bill or report language directing the Corps to move toward more privatization.

Hopper dredge owning companies are currently evaluating investment decisions concerning near-term and long range fleet replacements. Unlike other specialized dredging markets that have supported recent investments in other dredge types, no hopper dredges have been built since 1987. (Two large seagoing hydraulic pipeline dredges recently have been added to the fleet -- primarily to meet the demand for shoreline protection -- and three new backhoe dredges have been built for excavating hard materials and for precision digging when the need for accuracy is at a premium.) It is clear that America's private dredging companies are ready, willing and able to respond to the demands of the marketplace. We are asking Congress to help us create the conditions to succeed. Solving our problem this way will also help you to find resources to fund other needed projects or for budgetary savings.

Mr. Chairman, thank you for your time and attention. We would be happy to work with you and your staff on these and other issues affecting the national dredging program.

TUESDAY, MARCH 5, 1996.

IMPROVEMENT AND MAINTENANCE OF NAVIGATION CHANNELS

WITNESS

KURT J. NAGLE, PRESIDENT, AMERICAN ASSOCIATION OF PORT AUTHORITIES

Mr. MYERS. Kurt Nagle, President of the American Association of Port Authorities. The committee will be pleased to hear from you. Your prepared statement will be placed in the record and you may proceed for 5 minutes as you like.

Mr. NAGLE. Thank you, Mr. Chairman.

Good afternoon. My name is Kurt Nagle. I am president of the American Association of Ports Authorities. My testimony today reflects the views of AAPA's United States delegation.

AAPA has asked for time to testify today primarily for two reasons: First, we want to express our deep appreciation for the outstanding leadership of Chairman Myers and former Chairman Bevill for your many years of distinguished service to the Nation and for your support of navigation programs.

Secondly, the port community is concerned that we are losing your invaluable leadership at a crucial time when the zeal for budget reductions threatens to undermine sound long-term investment policy in our water resources infrastructure.

If I leave one message with you today, it is that ports and all who rely on the services we provide, depend on continued Federal investment in improvements to our navigation system and adequate annual appropriations levels to maintain that system. The substantial local investment in landslide terminal facilities totaling $930 million in 1994 alone, will be jeopardized if access to ports via navigation channels is constrained.

In my testimony today I want to stress three points: The importance of continued investment in deep-draft navigation to the Nation's economy; the need to provide sufficient appropriations for Corps' operation and maintenance dredging activities to ensure that navigation projects are maintained to full authorized project dimensions. And the need to continue to fund Corps' research on dredging technology and related environmental issues.

Our water highways are national assets that link every community in our Nation to the world marketplace. The deep-draft commercial ports of the U.S. handle over 95 percent of the volume of cargo moving in and out of the Nation. Port activities create substantial economic and trade benefits. The United States Customs duties on imports moving through U.S. ports alone totaled approximately $15 billion in fiscal 1993. The overall national economic impact of port activities in 1992 generated 15.3 million jobs, $780 billion to the Gross Domestic Product, and $209.8 billion in taxes at all levels of government.

Ports and their customers in the carrier, shipper, labor and commercial community must be able to rely on the maintenance of full project depth to ensure the safe and efficient passage of vessels. Ports around the country have raised concerns that sufficient funds will not be available in this fiscal year to maintain the commercial navigation system.

The Corps, in informal discussions, has confirmed that some districts money may not be available for dredging unless funds are reprogrammed or supplemental appropriations are provided to restore the Corps' dredging accounts. Vessels are getting larger, volumes of trade are increasing and shippers demand just-in-time delivery of goods moving halfway around the world. Therefore, we request the subcommittee's support in directing the Corps to take a more aggressive approach to provide advanced maintenance dredging and request the subcommittee to provide adequate funding levels for fiscal 1997.

Increasing environmental restrictions as well as public opposition to open water dredge material disposal make it more important than ever that the Corps and the port community have the best information upon which to make dredging and disposal decisions. We hope that this committee will approve funding this year for the Corps' dredging research programs at levels requested by the administration.

Finally, I would like to discuss briefly a recent U.S. Court of International Trade opinion that found the harbor maintenance tax as imposed on exports as unconstitutional. That decision has been appealed by the Justice Department. WRDA '86 was written to allocate responsibility among the Federal, local and private interests that share the benefits of navigation. This balance must be maintained. Most importantly, the uncertainty over the tax must not lessen the commitment of this subcommittee and Congress to provide funding for dredging and navigation.

We are extremely grateful to Chairman Myers and Representative Bevill and the subcommittee for their important work and for their support of the navigation program.

Thank you very much for the opportunity to testify today.

Mr. MYERS. Thank you. Thank you for the nice words.

I apologize for the mispronunciation of your name.

Mr. NAGLE. No problem, sir.

[The statement of Mr. Nagle follows:]

American Association of Port Authorities
1010 Duke Street, Alexandria, VA 22314

TESTIMONY OF KURT J. NAGLE
PRESIDENT
AMERICAN ASSOCIATION OF PORT AUTHORITIES

BEFORE THE HOUSE APPROPRIATIONS COMMITTEE
ENERGY AND WATER DEVELOPMENT SUBCOMMITTEE
March 5, 1996

Introduction

Good afternoon. My name is Kurt Nagle. I am President of the American Association of Port Authorities (AAPA). Founded in 1912, AAPA represents virtually every U.S. public port agency, as well as the major port agencies in Canada, Latin America and the Caribbean. My testimony today reflects the views of the AAPA's United States delegation.

AAPA has asked for time to testify today primarily for two reasons. First, we want to express the deep appreciation of the entire port community for the outstanding leadership of Chairman Myers and former-Chairman Bevill for your many years of distinguished service to the nation and for your support of the water resources and navigation programs that are so vital to the nation's economy. Secondly, the port community is concerned that we are losing your invaluable leadership at a particularly crucial time when the zeal for budget reductions threatens to undermine sound long term investment policy in our water resources infrastructure.

Summary

If I leave one message with you today, it is that ports, and all who rely on the services we provide, depend on continued federal investment in improvements to our navigation system and adequate annual appropriations levels to maintain that system. There is also a very substantial additional local investment in landside terminal facilities – totaling $930 million in 1994 alone. These investments of local funds in landside port facilities will be jeopardized if access to ports via navigation channels is constrained.

In my testimony today I want to stress three points:

- The importance of continued investment in deep draft navigation to the nation's economy at the local, regional and national levels.

- The need to provide sufficient appropriations for Corps operation and maintenance dredging activities to ensure that navigation projects are maintained to full authorized project dimensions.

- The need to continue to fund Corps research on dredging technology and related environmental issues.

Economic Return

Our water highways are national assets that serve a broad range of economic and strategic interests. Ports activities link every community in our nation to the world marketplace -- enabling us to create export opportunities and to deliver imported goods more inexpensively to consumers across the nation.

The deep-draft commercial ports of the U.S. handle over 95 percent of the volume and 75 percent of the value of cargo moving in and out of the Nation. Port activities create substantial economic and trade benefits for the nation, as well as for the local port community and regional economies.

- U.S. Customs duty revenues totaling approximately $15 billion dollars were paid into the general treasury in fiscal year 1993.
- Our nation's commercial deep draft ports handled 893.9 million metric tons of cargo in 1993 worth $512.1 billion.
- Foreign trade is an increasingly important part of the U.S. economy, currently accounting for over 20 percent of our Gross Domestic Product. U.S. exports and imports are projected to increase in value from $454 billion in 1990 to $1.6 trillion in 2010. The volume of cargo is projected to increase from 875 million to 1.5 billion metric tons in 2010.
- The overall national economic impact of port activities in 1992 generated:
  - 15.3 million jobs;
  - $780 billion to the Gross Domestic Product; and
  - $209.8 billion in taxes at all levels of government.[1]

As I have indicated, these national economic benefits are generated as the result of the local investment by ports in modern marine terminal facilities and related infrastructure. Between 1995-1999, the cumulative local investment in port facilities will approach $1 billion per year.

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[1] Public Port Financing in the United States, U.S. Maritime Administration, July 1994.

Navigation Improvements and Maintenance

Ports and their customers in the carrier, shipper, labor and commercial community must be able to rely on the maintenance of full project depth to ensure the safe and efficient passage of vessels. To accommodate the growth in trade, the increased rationalization in the maritime trades, and the demand for efficiency in the shipping business larger vessels are being built which will necessitate even deeper channels in some ports, as well as more diligent maintenance of existing project dimension.

Ports around the country have raised concerns that sufficient funds will not be available in this fiscal year to fully maintain the commercial navigation system. Apparently funds are being diverted from navigation projects to pay for other Corps programs. The Corps, in informal discussions, has confirmed that in some Districts money may not be available for dredging, unless funds are reprogrammed or supplemental appropriations are provided to restore the Corps accounts.

In the expanding and increasingly competitive global marketplace the Corps needs to be more diligent than ever in maintaining our deep draft commercial ports. Vessels are getting larger, volumes of trade are increasing, and shippers demand "just-in-time" delivery of goods moving half way around the world. Vessels cannot afford to come into or leave ports light loaded if they are going to compete internationally. Therefore, we request the Subcommittee's support in directing the Corps to take a more aggressive approach to provide advance maintenance dredging where necessary to ensure that full project depth and width are maintained.

We request that this Subcommittee provide the Corps with funding in fiscal year 1997 at levels to ensure that navigation project improvements and maintenance will be provided sufficient to enable ports to meet commercial demand and to enhance U.S productivity and competitiveness.

Dredging Research

AAPA would also like to express our concern over fiscal 1996 cuts in appropriations for the Corps' dredging technology and environmental research programs. Dredging activity has never been as much in the public spotlight as it is today. Increasing environmental restrictions, as well as public opposition to open water dredged material disposal, make it more important than ever that the Corps and the port community have the best information upon which to make dredging and disposal decisions. We hope that this Committee will approve funding this year for the Corps' dredging research programs at levels requested by the Administration.

Harbor Maintenance Tax

Finally, I would like to discuss briefly a recent U.S. Court of International Trade opinion that found the Harbor Maintenance Tax as imposed on exports is unconstitutional. That decision has been appealed by the Justice Department, but final resolution of the case is not likely for a year or two. AAPA is very concerned that the Tax is under attack, and that the litigation casts doubt on the legality of the current funding mechanism for maintenance of federal navigation channels. The Tax was only one part of a hard-fought compromise among the federal government, ports and users of federal channels. WRDA '86 was written to allocate responsibility among the federal, local and private interests that share the benefits of navigation.

Alternatives to the Tax would need to be crafted extremely carefully to avoid the confrontation and gridlock that preceded Congressional action on WRDA '86. Most importantly, the uncertainty over the Tax must not lessen the commitment of this Subcommittee and Congress to provide funding for dredging and navigation.

Conclusion

Thank you for the opportunity to testify today. To ensure our nation's continued international competitiveness, it is now more important than ever to continue to invest in an improved and efficient water transportation system. We are extremely grateful to Chairman Myers and Representative Bevill and the Subcommittee for your important work and support for dredging and navigation.

TUESDAY, MARCH 5, 1996.

MISSOURI NATIONAL RECREATION RIVER

WITNESS

JIM PETERSON, PRESIDENT, MISSOURI RIVER BANK STABILIZATION ASSOCIATION

Mr. MYERS. Jim Peterson, president of the Missouri River Bank Stabilization Association.

Gentlemen, welcome back.

If you have a prepared statement it will be placed in the record.

You may proceed in the 5 minutes as you like.

Mr. PETERSON. Thank you, Mr. Chairman, Mr. Bevill. It is a pleasure to see you again. I feel we are all going to be the poorer for your absence, but we wish you well in your retirement.

With me, of course, is Mr. Curry, the vice president of the Missouri River Bank Stabilization Association.

We will try to be as brief as possible.

We do appreciate the time you have given us and we certainly appreciate the help that the subcommittee has given us in the past. And I am happy to report that this project is alive and well and we are making progress, although somewhat slow.

The section of the Missouri River involved here is that between Ponca, Nebraska, and Yankton, South Dakota. It is the only free-flowing stretch of the Missouri below the mainstem dams and the effort by Congress back in 1978 was to preserve and protect that segment of the river. We are here to ask you today for $200,000 in O&M money to continue the operation and maintenance of the structures which were previously built along this section of the river.

At the time the section of the river involved was made a part of the Wild and Scenic River System, the Corps of Engineers drew up a management plan for that section of the river.

As I understand it, under the rules of the Administrative Procedures Act, a review of such plans is required periodically, and at this time, the National Park Service and the Corps have a management planning team, of which Mr. Curry and I are both members, representing our local units of government.

Mr. Curry is now a county commissioner, an elected official.

The management plan is currently being reviewed. It is a slow process, as you likely know, but we are not prepared at this time to ask for anything more than the O&M money which we did request in our formal presentation of testimony here. But we are making some progress.

One of the main things that has been on the agenda is some increased access to the river on the lower end on the South Dakota side, an additional markings of the river site. This, of course, is on the route of Lewis and Clark. We have shown a significant or experienced significant increase in interest in the Louis and Clark trail with the bicentennial of the expedition coming up, and we have been somewhat surprised at the degree of that interest. It will continue for the next several years as the bicentennial of the expedition approaches and we hope that we will be able to provide somewhat better access to the river, more information about it in the way of signs along the river, access points, points from which you can simply review or observe this ancient part of the river.

With that, we will thank you for your past support and appreciate any help you may give us.

Again, we wish you the very best in your retirement.

[The statements of Mr. Peterson and Mr. Curry follow:]

Statement of J. M. Peterson, President, and Darrel G. Curry, Vice President of the

MISSOURI RIVER BANK STABILIZATION ASSOCIATION

Mr. Chairman and Members of the Sub-Committee:

The membership of the Missouri River Bank Stabilization Association and its officers thanks you for your courtesy in giving us the opportunity to present this testimony with reference to the Fiscal Year Budget for 1997.

We come before you to request funding for the Missouri National Recreation River project, authorized in 1978 under Section 707 of Public Law 95-625. **For FY 97 $200,000.00 is needed for operation and maintenance of structures built prior to 1978** under the Section 32 Streambank Erosion Control and Demonstration Act. In addition, funding is needed for providing additional access to the river, securing shoreline easements so as to increase wildlife habitat, provide bank protection where necessary and such other needs as required to maintain progress toward completion of this project.

Of the $21,000,000.00 authorized expenditure for this project, some $2,000,000.00 has been spent. The project covers the fifty-nine mile segment of the Missouri River flowing from Yankton, South Dakota, to the Ponca, Nebraska, State Park. The Missouri here is still in a relatively natural, or wild, state; it marks the boundary between Nebraska and South Dakota. Above Yankton, South Dakota the Missouri is a *"geologically young"* river as the terrain through which it flows was more recently glaciated than that below Yankton. Occupying a much broader valley below Yankton, the fifty-nine mile reach involved here is the sole *"wild"* segment below the mainstem dams.

The valley occupied by this still-meandering reach of the Missouri is characterized by a highly erodible flood plain. Construction of the mainstem dams has all but eliminated flooding in this reach but inexorable erosion continues. That constant erosion is not offset by the periodic flooding which occurred prior to the construction of the mainstem dams.

The nation will soon be commemorating the bicentennial of the Lewis and Clark Expedition. It is appropriate to note here that this is the only segment of the "geologically old" Missouri the explorers would easily recognize yet today. Here, the still-meandering river is yet characterized by sandbars and snags, bends and beaches, islands, chutes, timbered bluffs, wildlife and a host of other characteristics the Congress intended to preserve by the enactment of the 1978 legislation. It is indeed worthy of preservation.

In conclusion, we would like to reiterate our thanks for the help you have been fit to provide in prior years, and for the concern and consideration of the farmers, outdoorsmen, environmentalists and others constituting the membership of our Association.

Mr. MYERS. Thank you.

Mr. BEVILL. Thank you.

Mr. MYERS. Mr. Curry.

Mr. CURRY. Mr. Chairman, we have a support letter here from State Senator Pat Engel and State Senator Schellpeper. Can those be entered into the record?

Mr. MYERS. Without objection, they will be made a part of the record.

Thank you for your fine testimony, once again. We will miss you next year.

Mr. PETERSON. Well, we will miss you.

Mr. BEVILL. We will be thinking about you working people.

[The information follows:]

Nebraska State Legislature

SENATOR STAN SCHELLPEPER

District No. 18
Box 287
(402) 439-2907
Stanton, Nebraska 68779

Legislative Address:
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Lincoln, Nebraska 68509-4604
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COMMITTEES

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Committee on Committees
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Legislative Council

Ninety-Fourth Legislature

February 27, 1996

The Honorable John T. Myers, Chairman
Subcommittee on Energy and Water Development
House Appropriations Committee
2362 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Myers:

Please accept this letter of strong support regarding the efforts of the Missouri River Bank Stabilization Association. I have represented this area of the Great State of Nebraska since 1992, yet for many more years I have enjoyed and admired this beautiful segment of the Missouri River for which this request is being made.

The portion of the river in question, the 'wild' Missouri, is a wide, braided river providing bounteous habitat for fish and fowl. The 'wild' Missouri is a fertile, aesthetic gem which provides recreational value as well as being recognized as a state and national treasure. In contrast, an extensive network of dams and other channeling structures, while important in their own respect, have rendered most of the lower river, a swift moving and uninspiring canal. Realizing the damage to the ecology and fertility of the river that such measures have caused, efforts have begun to reverse the damage on the lower river by recreating the features that abound on the 'wild' Missouri.

Past effort of the Association to preserve our river and the wisdom of this subcommittee to fund preservation efforts are to be commended. I would strongly encourage the subcommittee to authorize funding for the continued maintenance of structures previously built. We must insure that our past investment in preserving the river is protected.

Thank you for your consideration.

Sincerely,

Senator Stan Schellpeper
Legislative District 18

SS:mkr

Nebraska State Legislature

SENATOR PAT ENGEL
District No. 17

401 East 31st Street
South Sioux City, Nebraska 68776

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COMMITTEES

Appropriations
Legislative Council

Ninety-Fourth Legislature

February 27, 1996

Honorable John T. Meyers, Chairman
Subcommittee on Energy and Water Development
House Appropriations Committee
Washington, D.C. 20515

Dear Mr. Chairman:

I am pleased to enter this letter in support of the efforts of the Missouri River Bank Stabilization Association. Before I began representing the 17th District, I enjoyed and admired this beautiful segment of the Missouri River.

The river is an abundant habitat for fish and fowl and is a state and national treasure that encourages people to enjoy the beauty of this region of the country. In contrast, an extensive network of dams and other channelizing structures have rendered most of the lower river, a swift moving and uninspiring canal with damage to the ecology, causing irreversible damage.

Past efforts of the Association to preserve our river and the wisdom of this subcommittee to fund preservation efforts is to be commended. I strongly encourage the subcommittee to authorize funding for the continued maintenance of structures previously built. We must ensure that our past investment in preserving the river are protected.

Sincerely,

Pat

Pat Engel
State Senator
District 17

LPE:jlm

TUESDAY, MARCH 5, 1996.

MARSHALL FLOOD CONTROL PROJECT

WITNESSES

HON. DAVID MINGE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MINNESOTA

ROBERT BYRNES, MAYOR, CITY OF MARSHALL, MINNESOTA

Mr. MYERS. Our friend from Minnesota, David Minge, if you would like to come forward, Mr. Mayor, Mayor Robert Byrnes from Marshall, Minnesota.

We are pleased to have you.

Your prepared statement will be made a part of the official record, and you may proceed for 5 minutes as you like.

Mr. MINGE. Just very quickly, I would like to introduce Mayor Byrnes.

He is an outstanding county extension educator in the Nation, having received a national award, being honored, and I certainly am honored to have him in Washington today to discuss a critical project for a community of which he is the mayor, and to indicate to you that he is working very closely with other parties that are interested and affected by these projects, and I commend him for his efforts.

Mr. MYERS. Pleased to hear from you.

Thank you.

Mr. BYRNES. Thank you, Congressman Minge.

Chairman Myers and Members of the Energy and Water Development Subcommittee, I appreciate the opportunity to come before you today on behalf of the citizens of Marshall, Minnesota. My purpose today is threefold. First, to thank Chairman Myers and Mr. Bevill and this committee for the $850,000 in Energy and Water funds that we received in the fiscal year 1996 appropriation bill, that enabled us to begin the work on the first stage of the Marshall Flood Control Program.

Second, to report to you the status and the progress we have made on the project. And third to request your consideration for the $1.4 million needed to begin construction on the second stage of the project in fiscal year 1997.

The topography of the region in southwest Minnesota makes the City of Marshall extremely vulnerable to the melt of snowpack in the spring and the flash flooding that occurs with heavy rains during the summer months. The elevation drops some 700 feet from one end of Lyon County to the other and flattens out at Marshall, which is about at the center of the Redwood River Basin. The Redwood River elevation drops 19 feet per mile until it reaches the city. Then the river slope flattens out to an average drop of 4 feet per mile. The lack of a confining valley and the grade reduction contributes significantly to the overland flooding of the city.

As you may recall, the summer of 1993 produced the three holiday floods in Marshall, Minnesota, on Mother's Day, Father's Day and Independence Day, causing hundreds of thousands of dollars of property damage to the community. In 1995, rains of 9 to 15 inches fell just 40 miles to the north of the Redwood Watershed District area.

If that storm had moved only a few miles to the Southwest, the Corps of Engineers predicted that there would have been flooding of such magnitude in Marshall that emergency measures would have been futile and the city would have suffered millions of dollars in damage and could well have resulted in loss of lives.

When stage 1 of the project is completed in 1997, we will have lessened the flood threat in Marshall for the first year in 33 years. If you would turn to the last page of the prepared testimony, there is a map of the city that presents the work of the project visibly.

The river enters the city from the southwest, on the lower left-hand corner of the map, and winds its way through the city, through the center of the city, exiting on at the northeast corner. The diversion channel, which is shown in red, was constructed by the Corps of Engineers in 1963, in an attempt to divert the flow around the city rather than through the city. Because of gradient problems, insufficient capacity and other problems, the devastating floods of 1969 demonstrated the technique did not work. The water did not move through the system and the channel could not handle the more than 8,000 cubic feet per second rush of water that occurred in 1969.

Stage 1 of the project corrects some of these problems, broadening the channel, modifying the grade, dredging procedures and other improvements which would permit the diversion channel to work as it was intended to function.

Stage 2 of the project includes construction of levees and other work that will protect homeowners adjacent to the river, both on the north and south boundaries of the city. The levees will enable the 1963 project to work as it was originally intended. It will also include a 7-acre ponding area to enable the holding and release of water to minimize damages.

The flood control project will ameliorate the flooding problems with the Redwood River but it is not the total answer to Marshall's water concerns. The second problem area is the drainage and storm sewer system of the city. County Ditch No. 62 provides the drainage system for approximately 60 percent of the city.

While never fully adequate, the growth and development of the city and the deterioration of the system has commanded immediate attention. The City of Marshall, in cooperation with FEMA and Lyon County, is proceeding with a $3 million storm sewer project that will be constructed in the summer of 1997.

It is critical that these two projects maintain a coordinated effort. Both are located in the northeast section of the city. Both will establish ponding areas. Both have common real estate needs and really both should be constructed simultaneously for cost effectiveness.

For this reason, we were dismayed to learn of the Corps of Engineers' new project some 2 to 3 weeks ago. Milestones in the project were delayed. The initiation of real estate acquisition was postponed nearly a year after the project footprint is available and the development of plans and specifications for the Stage 2 was extended, with the final completion date late in the year of 1997.

Changes such as this will be extremely detrimental to the coordinated plans of the Army Corps of Engineers project and the Ditch 62 project. It will eliminate the opportunities for cooperation in real estate acquisition, the use of fill between the projects, the disruption of the area for an extended period of time, and most importantly, it will extend unnecessarily the dangerous flood potential for the citizens of Marshall for a year or two longer than what is necessary.

The $1.4 million funding of Stage 2 of this project will permit us to stay on the original schedule, create opportunities for cost savings for both projects and provide the protection needed for the citizens of Marshall in a timely manner.

Thank you for the opportunity and privilege of appearing before you today.

I would be happy to respond to any questions that you may have.

Mr. MYERS. Thank you, Mayor Byrnes and thank you, thank you very much.

[The statement of Mr. Byrnes follows:]

Subcommittee on Energy and Water Development
The Honorable John T. Myers, Chairman
Committee on Appropriations
United States House of Representatives
Washington, D.C.

Statement
of

Robert J. Byrnes Mayor
City of Marshall, Minnesota

Request for Funds in the FY 1997 House Appropriations Bill for Stage II Construction of the Flood Control Project at Marshall, Minnesota:

March 5, 1996

Statement of Robert J. Byrnes, Mayor
City of Marshall, Minnesota

Chairman Myers and Members of the Appropriations Subcommittee, I appreciate the opportunity to submit this testimony requesting $1.4 million in federal funds to begin construction of Stage II of the flood control project at Marshall, Minnesota. The $850,000 appropriated by this Committee in the FY 1996 Appropriations Act, and the $490,000 in State and local funding have permitted us to initiate the work required in Stage I. The vulnerability of the community to severe flood events, however, creates an urgency to complete this project as soon as reasonably possible. I would like to request that the full text of my statement be included in the record.

Project Authority, Funding, and Status:

The Marshall Flood Control Project was authorized in the Water Resources Development Act of 1986. The total project is estimated to cost $9.98 million of which Federal costs are estimated to be $7.22 million, with non-Federal costs of $2.76 million. The non-Federal costs have been provided through the State flood mitigation grant program, and by bonding by the City of Marshall. The Design Memorandum and Environmental Assessment were completed and approved in 1987. The Project Cooperation Agreement (PCA) has been successfully negotiated between the Marshall City Council and the District Office of the Army Corps of Engineers. It is now awaiting final approval by the Corps Headquarters in Washington, D.C. Only temporary easements and a five-acre dredged materials disposal site will be needed for Stage I construction of the project.

The plans and specifications for Stage I were completed and approved in September of 1993. The FY 1996 appropriation for the project has permitted the Corps to move forward with the advertisement for construction bids for Stage I. The construction work consists primarily of the repair and modification of the existing diversion channel. The request for bids for Stage I construction is currently scheduled for June 30, 1996, however, all actions needed prior to publishing the construction bids will have been accomplished with the final approval of the PCA. The development of plans and specifications for Stage II are scheduled to be initiated on February 28, 1996, according to the Corps' project schedule. The City is responsible for the dredging of the channel at a local cost of $318,000, and will be incorporated into Stage I construction.

Stage I - Corps Schedule and Costs *

Federal Share $850,000 Non-Federal Share $490,000

Activity	Beginning Date	Completion Date
Plans & Specs Initiated		Complete
Plans & Specs Approved		9/30/93
Initiate Real Estate. Acquisition	None required	
Construction Contract Advertised	6/30/96	6/30/96
Construction Contract Awarded	8/31/96	8/31/96
Construction Contract Completion		12/31/97

* The initiation of Stage II construction is not contingent on the completion of Stage I construction.

Page 2.

Project Location:

The City of Marshall is located in the Southwest corner of the State of Minnesota, about 145 miles southwest of St. Paul. It is near the center of the Redwood River basin. Southwest State University, the business district, and most of the homes of the 14,000 citizens are located in the floodplain of the Redwood River. Marshall serves as the county seat of Lyon County, and is the commercial and agricultural center for the region.

The Redwood River enters the southwest corner of the City, winds its way through the City, exiting at the northeast boundary near the University campus. The Redwood River basin serves an elongated drainage area of approximately 743 miles. The river's elevation drops at the significant rate of 19 feet per mile until it reaches the City. There the river slope flattens out to an average of about 4 feet per mile. The lack of a confining valley, and the reduction in grade on the plain, contributes significantly to overland flooding in the Marshall area. The geological decline in the elevation in the 50 miles from the watershed area to the City of Marshall is greater than the Mississippi River elevation decline from Minneapolis to New Orleans.

Historical Summary:

Water and land related problems in the Minnesota River basin was first investigated by the St. Paul District Engineer in 1934, but his study did not address the flooding and related problems in Marshall. In 1960, after the severe floods of 1957, improvements were recommended by the Corps which included the construction of levees and a floodwater diversion channel.

This flood control project was completed in 1963, by the U.S. Army Corps of Engineers to, "provide protection for the people and property of Marshall from the frequent flood risks." The major feature of the project was a 2.4 mile diversion channel around the west and north sides of the City, a 1,840 foot levee at the upstream end of the project, and other features. The channel was designed to handle a 6,500 CFS flow. The overflow, then, would move naturally into the Cottonwood River Watershed south of Marshall.

In 1969, a flood of 8,090 CFS was experienced in Marshall. The river channel both upstream and downstream from Marshall was inadequate to convey the 1963 design flows either to or from the diversion channel. At flows greater than 3,500 CFS, floodwaters bypass the diversion channel and flood the inner City of Marshall.

As a result of the failure of the 1963 flood control project to protect the City, other studies were conducted by a private engineering firm under the direction of the Corps in 1974. The Corps completed a flood control report in 1976, and a feasibility study in 1979. This report was updated by a reevaluation of the problems in 1984. The current project was then authorized in the 1986 Water Resources Development Act. It is important to note that the project as constructed in 1963, has worsened the potential of flooding for the City. The rate of flow is not adequate to move the flood waters through the diversion channel, and other problems.

Page 3.

The three "Holiday Floods of 1993" (Mother's Day, Father's Day and Independence Day) occurred at both ends of the diversion channel, causing hundreds of thousands of dollars in damages to homes, businesses, and the City's infrastructure. As the water levels remained at flood stage throughout the summer, it created an atmosphere of fear and unrest among the citizens of Marshall.

In 1995, the Redwood River was again flowing at capacity, and the City of Marshall narrowly avoided a disaster worse than the floods of either 1969 or 1993. From 9 to 15 inches of rain fell near Montevideo, Minnesota, less than 40 miles from the Redwood Watershed District. If the storm had moved only a few miles to the southwest, the flood waters would have engulfed the City at a rate of 8,000 to 12,000 cubic feet of water per second. This is a much greater water overflow than that which occurred in the disastrous flooding of 1969, and as much as three times greater than the 1993 floods.

The District Office of the Corps of Engineers provided estimates stating that the City would have incurred millions in property damage, and that flash flooding of this nature could well have resulted in the loss of lives. Corps officials stated that flash flooding of this magnitude would have made most emergency measures futile. As a result of the flat terrain in and around the City, and much of the Marshall community would have been under water.

Project Completion Delayed until the Year 2000:

The Marshall City Council was deeply concerned to learn in a presentation by the Corps' St. Paul District Office in February, 1996, that the project completion date had been extended to the fall of the year 2000, some 18 months later than previously discussed. Originally scheduled as a three-year work project, there was no new construction on the schedule for FY 1997. It should be noted that Stage I construction work planned for 1996, is not a requisite for Stage II construction.

The new schedule delays the initiation of land acquisition for nearly a year, or until after the plans and specifications for Stage II have been completed by March, 1998. All Stage II construction has been postponed on the schedule until the land acquisition is completed. The engineers, in developing the plans and specs for Stage II, can provide a "footprint" of the site by the summer of 1996. The real estate needs for the north end of the project can be acquired in 3-4 months, and the total land and acreage obtained for the project in nine months based on a Fall, 1996 start.

Coordination with County Ditch No. 62 Drainage System Essential:

In addition to the Marshall Flood Control Project, the overall protection of the City requires the reconstruction and modification of the storm sewer drainage system concurrently with the work of the Corps. The examination of the drainage problems was acknowledged in the General Design Memorandum developed by the Corps for Marshall, but is not included, nor is it a part of the funding of this project.

County Ditch No. 62 serves as the storm sewer drainage system for about 60% of the City's corporate limits. The Ditch extends along the northeast part of the City, in close proximity to the levee construction required for the Corps flood control project, and feeds into the Redwood River. With the growth of the community, and the development of property and the University campus, since the construction of the Ditch in 1958-9, the flooding problems in the City have been exacerbated by the lack of drainage and poor water movement in a system that is no longer adequate for the community. Construction is scheduled to begin in the Summer of 1997.

The City of Marshall, in cooperation with Lyon County and the State of Minnesota, a comprehensive storm water system has been planned, designed, and is jointly funded by FEMA, the State of Minnesota, Lyon County and the City governments at a total cost of slightly more than $3 million. There are elements of the Storm Sewer/Ditch Project that are closely associated with the Flood Control Project.

1. Construction work for both projects will be required in the same northeastern section of the City;

2. Ponding areas are required for both projects; 7 acres for the flood control project, and 20 acres for the C.D. No. 62 project. Both ponding areas will be located in the northeast section of the City.

3. The C.D. No. 62 Project must remove some 400,000 cubic yards of soil from the ponding area and the ditch. The flood control project may require some of this soil as fill, and topsoil for disturbed areas. The Design Memorandum calls for the purchase of top soil from local suppliers.

4. Unless flood control project is constructed in association with the C.D. No. 62 Project, the back up of flood waters can render the Ditch improvements ineffective.

5. Both projects require the acquisition of real estate in the same area. By coordinating these efforts, the acquisition of property can be accomplished more effectively, and at less cost to both the projects. The lack of coordination between the two projects will have the potential to create delay factors in one or both of the projects.

The coordination of the construction of these two water resource development projects has the potential for reducing costs, and avoiding overlap and contradictions that may disrupt, or otherwise delay the construction of either or both projects. An ineffective drainage system can defeat the purposes of the flood control project, and the delayed completion of the flood control project opens the possibility of damaging a newly constructed drainage system.

Working together, the goals of both projects can be accomplished in a timely manner, at less cost to governments at all levels. It will, however, require that the Corps' schedule for construction of the Marshall project be modified somewhat to accommodate the differences in the project time lines. Any reductions in the timeline of the project can be accomplished by reducing the time allocated to the City for the purpose of real estate and easement acquisitions, and by not delaying unnecessarily the initiation of new activities. A request has been forwarded to the St. Paul District Office of the U.S. Army Corps of Engineers requesting a meeting to resolve these differences, and to move forward to complete the project in a reasonable and timely manner.

Page 5.

Stage II - Corps Schedule and Costs
Second Project Year - Federal $2.8 million Non-Federal $1.1 million
Third Project Year - Federal $2.992 million Non-Federal $1.17 million

Major Milestones	Date of Action	Completion Date
Plans and Specs Initiated	2/28/96	* * *
Plans and Specs Submitted	2/28/97	* * *
Plans and Specs Approved	* * *	3/31/97
Initiate Real Estate Acquisition	3/31/97	* * *
Real Estate Acquisiti Complete	* * *	3/01/98
Final Real Estate certified/LERRD	* * *	3/01/99
Construction Contract Advertised	3/15/98	* * *
Construction Contract Awarded	4/30/98	* * *
Construction Contract Completed	* * *	9/30/00
Project Construction Complete	* * *	9/30/00

The City believes that the construction of Stage II can and should be awarded by April 30, 1997, thus shortening the project completion date by one full year.

- The Design Memorandum has designated the approximate number of acres for which fee titles would be needed (109 acres), perpetual levee easements (29 acres), perpetual channel improvement easements (41 acres), dredged material disposal site (5 acres), perpetual flowage easements (13), and temporary construction easements (24 acres).

- The "footprint" for the construction sites can be provided within 90 days of the initiation of the Stage II plans and specifications - or by May 30, 1996, permitting the necessary surveying and legal work to begin at the right time of year.

- The City can complete the acquisition of property and easements in 9 months, by March 1, 1997, at the same time the plans and specifications for Stage II construction are completed.

- According to the Corps' schedule, a construction contract will be advertised 15 days after the plans and specifications are completed, or on March 15, 1997, and awarded on April 30, 1997.

Stage II construction can continue from May 1 through October, 1997, the "good weather months" in Minnesota, moving the project completion date forward by one full year. By prorating the projected costs of the project on a monthly basis, the work will require about half of the $2.8 million of the projected costs for FY 1997, or $1.4 million in Federal funds, and $550,000 in non-Federal funds.

Benefits Received from the Accelerated Schedule:

The benefits achieved by the modified schedule are significant for the community as well as the governmental agencies supporting the project.

1. The citizens of Marshall and their property will be protected from the severe flooding that has both threatened and devastated their community in recent years.

Page 6.

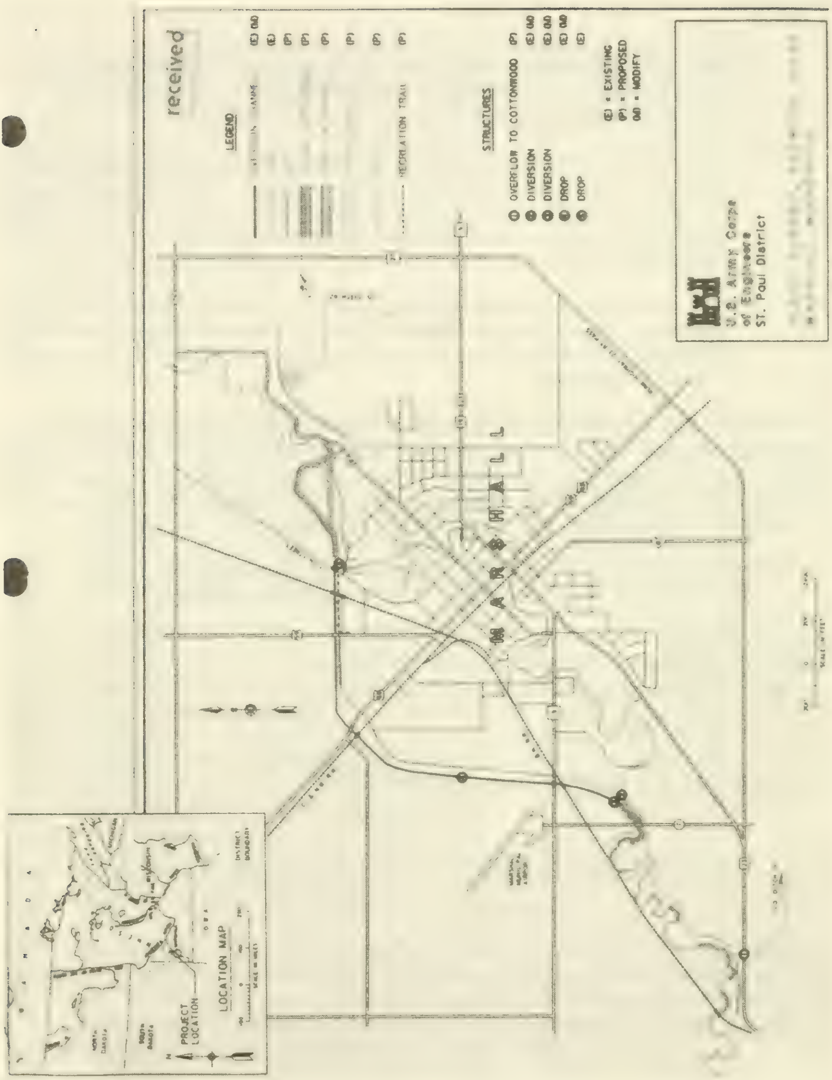
2. The modified schedule will permit the Flood Control Project and the C.D. No. 62 project to move along on parallel tracks, avoiding duplicative efforts, and providing a cost savings for both projects.

3. The different completion dates for the two water resources project create a situation where the construction work on either project is vulnerable to the elements should a severe Spring run-off or heavy rains occur during the construction period. Such an event would result in certain project delays and additional project costs.

4. The real estate and easement acquisitions will move much more quickly, efficiently, less costly, and with less problems with the property owners if conducted during the same time period rather than a year apart as they are now scheduled.

For these reasons, we respectfully request this Subcommittee to provide $1.4 million of Federal funds in the FY 1997 Appropriations Act to initiate the work required under Stage II of the Marshall Flood Control Project. Thank you for the opportunity to bring this critical matter to your attention through this statement. I will be delighted to respond to any questions you may have about the project

Robert J. Byrnes, Mayor
City of Marshall, Minnesota


received
LEGEND
RECREATION TRAIL
STRUCTURES
① OVERFLOW TO COTTONWOOD (P)
② DIVERSION (E) (M)
③ DIVERSION (E) (M)
④ DROP (E) (M)
⑤ DROP (E)
(E) = EXISTING
(P) = PROPOSED
(M) = MODIFY
U.S. Army Corps of Engineers
ST. Paul District
MARSHALL
LOCATION MAP
PROJECT LOCATION
NORTH DAKOTA
SOUTH DAKOTA
WISCONSIN
MICHIGAN
DISTRICT BOUNDARY
SCALE IN MILES
SCALE IN FEET

Mr. MINGE. I would like to request permission to present a statement also.

Mr. MYERS. Without objection, you can send it in, David, and it will be accepted.

TUESDAY, MARCH 5, 1996.

SAVANNAH HARBOR AND TYBEE ISLAND PROJECTS

WITNESS

HON. JACK KINGSTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF GEORGIA

Mr. MYERS. Ralph Cox—Jack, I didn't see you. If you would hold on, we have a Member.

We usually try to get them through first.

Mr. COX. Absolutely.

Mr. MYERS. Our colleague from Georgia, Jack Kingston. Jack, your prepared statement will be placed in the record.

You may proceed as you like.

Mr. KINGSTON. Thank you, Mr. Chairman.

I wanted to thank you, Mr. Cox. I am going to go next door afterwards.

Mr. Chairman, I wanted to testify before you regarding the fund—harbor maintenance funding for the Ports of Savannah and Brunswick, Georgia. In the past, this committee and you have shown a particular interest in the ports on the East Coast of Georgia.

Brunswick has received sufficient funding in the past couple of years, but Savannah is not—Savannah is the largest foreign commerce port in the south Atlantic, moving more than 12 million tons of cargo annually. There are over 22 States served by the Port of Savannah at a cost approaching $210 million.

Mr. Rogers' State of Kentucky, for example, moves iron and steel to the Toyota plant through Savannah. Mr. Bevill's State of Alabama gets Mercedes parts through Savannah. Mr. Chapman's State in Texas gets explosives or sends explosives through the Port of Savannah. So it is something this committee has particular interest in.

It is also utilized by the 24th Infantry Division and the 18th Airborne Division in times of national emergency. For example, during Desert Storm/Desert Shield, the troops deployed out of Savannah.

In the last 2 years, the Corps has run out of money in the middle of the year for harbor maintenance and last year Savannah was kept in limbo while the port had to look for various surplus money in other departments trying to move it in there. But they were able to reprogram some money to Savannah, but now Savannah and Brunswick are in limbo again and we are not certain what the immediate answer is going to be unless the Corps can continue to redirect some funds, maybe through Brunswick to Savannah in the middle of the year.

But what this is leading to is that the—that the Corps will not request sufficient funds for Savannah for the fiscal year 1997. There is no reason why the businesses that are served by the port and our 24th Army Division, 18th Division, should be put in this position one more year. If it is not dredged, ships, including military vessels, will not be able to get in and out. So we are requesting sufficient funding of $16 million to be budgeted for the maintenance of Savannah and $3.4 million for the maintenance of Brunswick.

And also, I am here to request funding for the Tybee Island Beach renourishment, if the 934 study is authorized by the Transportation and Infrastructure Committee. Authorization has been pending since last year and the Transportation Committee is expected to complete the Water Resources Development Act this spring.

Tybee's economy depends on the beach which has experienced serious erosion in recent years. The renourishment is justified under the new Federal policy that states that beach erosion projects must have at least 50 percent damage reduction benefits in order to be economically justified, and that is the case. The total Federal share of renourishment will be $4.665 million, which includes plans, specs and construction.

And, Mr. Chairman, I again thank you for all your past support and request your consideration this year.

Mr. MYERS. Well, thank you, Jack, for your fine statement. We will be glad to work with you.

Mr. KINGSTON. Thank you.

[The statement of Mr. Kingston follows:]

STATEMENT FOR REPRESENTATIVE JACK KINGSTON
ENERGY AND WATER APPROPRIATIONS SUBCOMMITTEE
MARCH 5, 1996

Summary:

Savannah Harbor Maintanence	**$16 million**
Brunswick Harbor Maintanence	**$ 3.4 million**
Tybee Island Beach Renourishment	**$ 4.665 million**

Mr Chairman, thank you for allowing me to testify before your Subcommittee today. I appear before you to ask for sufficient funding for harbor maintenance for the Ports of Savannah and Brunswick, Georgia. While the Port of Brunswick has received sufficient funding in previous years, the Port of Savannah has not. The Port of Savannah is the largest foreign commerce port in the South Atlantic moving more than 12 million tons of cargo annually. There are over 22 states served by the Port of Savannah with a cost impact approaching $210 million. Mr. Rogers State of Kentucky moves iron and steel to the Toyota plant through Savannah. Mr. Bevill's State of Alabama has received parts for the Mercedes plant through Savannah. Mr. Chapman's Texas sends explosives through the Port of Savannah. Additionally, the Port is utilized by the 24th Infantry Division and 18th Airborne corps in times of national emergency. In fact, during Desert Shield/Desert Storm, the military deployed 33 military sealift command vessels loaded with equipment, supplies, and personnel through the Port of Savannah. The 18th Airborne is the first unit called upon in a national emergency.

For the last two years, the Corps of Engineers has run out of money in the middle of the fiscal year for maintenance of the Savannah harbor. Last year, businesses, not only in Savannah, but also in the 22 states served by the Port, were kept in limbo while the Corps searched for surplus funds at other Ports. Thankfully, the Corps was able to find excess funds that could be reprogrammed to Savannah. This year, both the Savannah and Brunswick ports are in limbo again and an immediate solution does not seem to be on the horizon. To keep the Savannah port operating the Corps has redirected funds from the maintenance of the Brunswick harbor to the Savannah harbor which means that maintenance of the Brunswick harbor will not happen this year.

All of this leads me to my concern for this fiscal year -- that the Corps will not request the sufficient amount for Savannah for fiscal year 1997. There is no reason why the businesses that are served by the Port and our Army 24th and 18th Division should be put in such a precarious position year after year. If the harbor is not dredged, ships, including military vessels, will not be able to get in or get out. I request that sufficient funding of $16 million be budgeted for the maintenance of the Savannah Harbor and $ 3.4 million for the Brunswick Harbor.

I am also here to request funding for the Tybee Island beach renourishment if the 934 study is authorized by the Transportation and Infrastructure Committee. Authorization has been pending since last year and the Transportation Committee is expected to complete the Water Resources Development Act this spring. Tybee's economy depends on the beach which has experienced serious erosion in recent years. The renourishment is justified under the new federal policy which states that beach erosion projects must have at least 50% damage reduction benefits in order to be economically justified. The total federal share of renourishment will be $4.665 million which includes plans, specifications, and construction.

Thank you again for allowing me to appear before your Subcommittee and for your consideration of my request.

TUESDAY, MARCH 5, 1996.

BOSTON HARBOR PROJECT

WITNESS

RALPH COX, MARITIME DIRECTOR, MASSACHUSETTS PORT AUTHORITY

Mr. MYERS. Mr. Cox, we will hear you again.

I know Jack is in another committee.

Mr. COX. I don't mind waiting.

Mr. KINGSTON. Thank you.

Mr. MYERS. Your prepared statement will be placed in the record and you may proceed for 5 minutes as you would like.

Mr. COX. OK.

Mr. Chairman, I just want to thank you and the members of the subcommittee for having me here today. We have the written testimony, and I am not going to read it and just sort of tell you a little story, I hope.

[The statement of Mr. Cox follows:]

ASSPORT, TEN PARK PLAZA, BOSTON, MA 02116-3971, (617) 973-5500

massport

Testimony of Mr. Ralph F. Cox
Maritime Director
Massachusetts Port Authority

before the
House Subcommittee on Energy and Water Development

March 5, 1996

Good afternoon, Mr. Chairman and members of the subcommittee. My name is Ralph Cox and I am the Maritime Director of the Massachusetts Port Authority (Massport). I want to thank you for this opportunity to appear before you today. While my written testimony describes the Boston Harbor Improvement Project in greater detail, I would like to summarize my remarks here today

The Port of Boston is one of the oldest international ports in the nation, having served US commerce for over 300 years. Our primary activities are related to the transport of bulk cargo, particularly petroleum and scrap metal, and containerized freight. In 1995, the port handled over 1.1 million tons of containerized cargo which represented 87 percent of our business. We are the largest port in New England and serve over 13 million residents of the six New England states.

As Secretary of Transportation Pena recently observed, the nation is currently experiencing a "dredging crisis" that is in reality an "economic crisis." I am pleased to report to you today that we at Massport are poised to embark on a project that is designed to alleviate both conditions. Nearly three decades in its conception, the Boston Harbor Navigation Improvement and Berth Dredging Project is designed to deepen three tributary channels of Boston Harbor to depths of 40, 40, and 38 feet, respectively. To better illustrate the project's scope, the attached chart shows which areas are to be deepened

Specifically, the Reserved Channel and Mystic River will be deepened to 40 feet. This is necessary so that larger deep draft vessels, which are currently used in the international container business, can be fully accommodated. The Port of Boston serves vessel traffic on the North Atlantic routes. Currently, deep draft vessels may incur several hours of tidal delay in order to call on the port. If the necessary dredging does not take place at Boston and shipping lines are forced to continue to wait for the high tide, the port will certainly see a reduction in direct vessel calls Currently, when weather conditions play havoc with shipping schedules by delaying transit across the Atlantic, many carriers choose not to call on Boston because of the additional delay This situation only serves to increase shipping costs and ultimately those paid by consumers.

In addition, the Chelsea Creek will be deepened to 38 feet so that nearby transfer facilities will be able to accommodate the deeper draft oil tankers which are used to carry petroleum to locations throughout New England. Today, heavily loaded oil tankers must also wait for the tidal change, or be "lightered" by off-loading petroleum onto barges. As you might suspect, this transfer process is highly inefficient and substantially more costly While every precaution is taken to ensure otherwise, lightering does add considerably to the risk of an oil spill within Boston's inner harbor

To address the problems discussed above, the Boston Harbor Improvement Project was conceived in 1968 and provided for by Congressional resolution. The necessity of deepening Boston's navigation channels received further support from the Congress when it authorized that activity as part of the Water Resources Development Act of 1990. In its report, the House Committee on Public Works and Transportation recognized that the timely completion of the project was indeed critical to the maintenance and growth of the Port. By extension, increased efficiency at the Port will also contribute greatly to the economic growth of the Commonwealth and the region.

The total cost of the Boston Harbor Project is $73.2 million. Of this amount, $36.4 million is necessary for maintenance dredging of the federal navigation channels to their previously authorized depths; $30.5 million is necessary for the additional deepening of those same channels, as well as beneficiary berths; and $6.3 million is necessary for deepening other Massport and privately-owned berths.

I am appearing before you today to request that the subcommittee provide the US Army Corps of Engineers (Corps) with $18.7 million in fiscal year 1997 to specifically implement the Boston Harbor Improvement Project. Such an appropriation would enable both the Corps and Massport to begin work on-schedule and would allow for completion approximately 18 months later.

The total non-federal share of this project is estimated to be over $28 million. You should know that both Massport and the Commonwealth have dedicated themselves to securing all of the necessary financial resources for the local share *before* approaching the federal government for a funding commitment. Governor William Weld and the Massachusetts state legislature have provided continuous support for the project. To this end, the legislature recently enacted a Seaport Bond Bill which included a $15 million earmark specifically for the dredging of Boston Harbor.

It is our understanding that later this month the subcommittee will receive testimony from the Corps regarding its funding request for fiscal year 1997. As of this writing, Massport has not been informed whether or not the Corps will request funding specifically for the Boston Project. It is our understanding, however, that the Corps' regional office has submitted the necessary documentation to ensure that a funding request can indeed be submitted for the upcoming fiscal year.

We at Massport do realize that budgetary constraints need to be taken into consideration by your subcommittee. We would simply urge you to consider the amount of effort that has already been made to ensure that the most-cost effective, environmentally sound processes are used to deepen the Port's channels and dispose of the dredged materials.

A final Environmental Impact Report (EIR) was filed on the Boston Project in June, 1995.

In addition to the Corps' and the US Environmental Protection Agency, the EIR has received enthusiastic support from the Massachusetts Department of Environmental Protection, Office of Coastal Zone Management, and several local environmental groups. As you may know, the dredging process is both costly and complicated because much of the sediment on the bottom of Boston's harbor is heavily contaminated with a variety of pollutants. Unlike many of its fellow ports, however, Boston has developed a locally-endorsed and locally-based solution to meet its disposal requirements

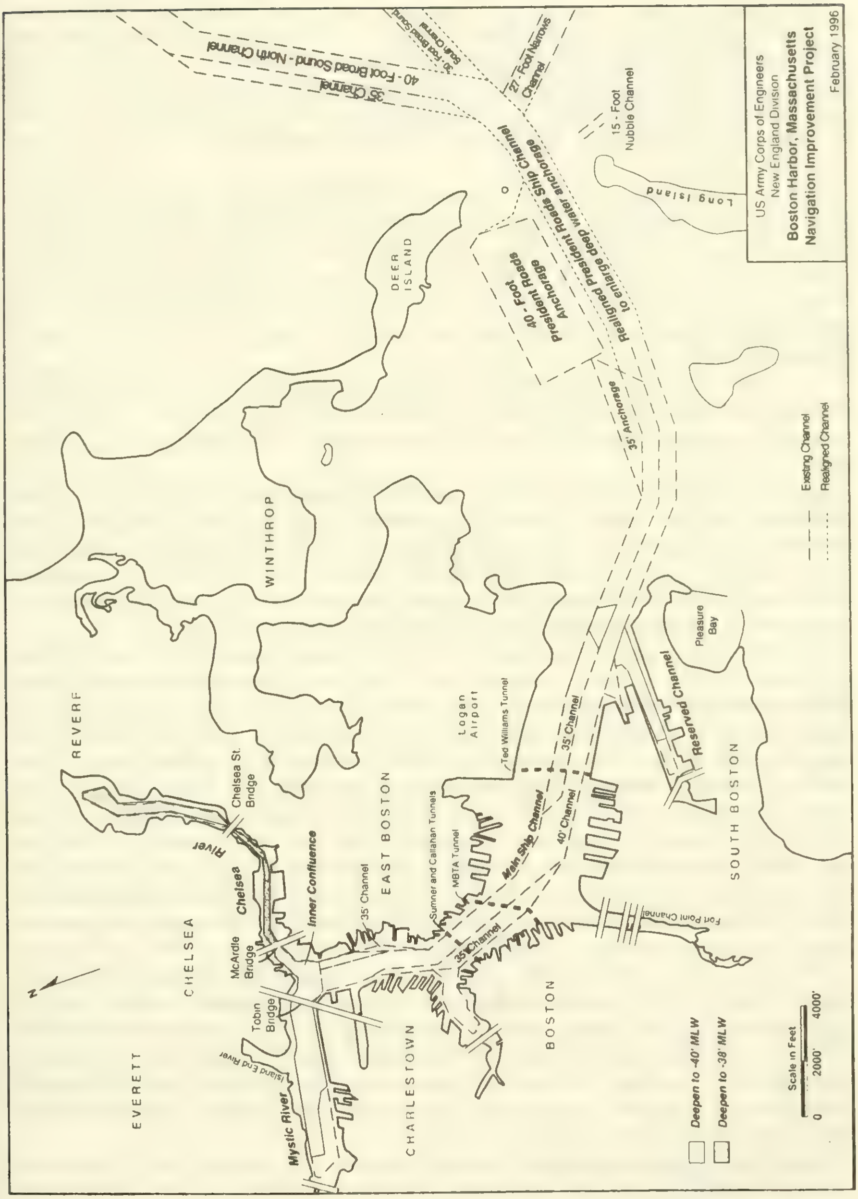
Massport convened a dredging advisory committee early in the environmental process and has continued to work very closely with all of the parties who have sought participation in the project's decision-making process Dredging implementation plans and disposal solutions were developed with the active involvement of both regulators and advocacy groups. I am pleased to report that the project is now ready to move forward with their endorsement.

The Boston project will dispose of contaminated sediments in-channel, in cells dug within and below the inner harbor areas that are scheduled for deepening. Special precautions will be taken during both dredging and disposal to minimize the impact of the project on water quality and marine life. The project will also employ a closed "environmental bucket" to remove the dredged material and will utilize silt curtains during disposal, as appropriate The project will also hire an independent contractor, in addition to the Corps of Engineers' resident engineer, to monitor all dredging and disposal sites for their impact on migratory fish

The Army Corps of Engineers has identified the project's incorporation of the in-channel disposal option as, "the most economically and environmentally feasible alternative available." Both the Corps and the Environmental Protection Agency recognize that ocean disposal would only be available for a small percentage of dredged material, approximately $2 million cubic yards of uncontaminated rock and blue clay Politically and environmentally, ocean disposal of Boston Harbor's remaining contaminated material is quite unacceptable. Therefore, Massport is proud to have developed a workable solution to the problem of dredged material disposal.

Mr. Chairman, as you know, New England has an extensive heritage of both fishing and waterborne commerce, and the Boston Harbor Improvement Project will go to great lengths to maintain the integrity of both. Again, I would simply urge the subcommittee to continue a history of strong Congressional support for this project by providing for an adequate level of funding during fiscal year 1997 Quite frankly, without a commitment by the federal government to provide funding in the next fiscal year, implementation of Boston's project will have to be delayed. We feel that the costs associated with such a delay, after taking inflation into account and factoring in the Port's contribution to the local economy, may nearly total the amount of our funding request.

We have a well-scoped project that is long overdue and ready to go -- thirteen million people and 300 years of history deserve no less. Thank you for your consideration and I would be pleased to answer any questions you may have.


US Army Corps of Engineers
New England Division
Boston Harbor, Massachusetts
Navigation Improvement Project
February 1996
40 - Foot Broad Sound - North Channel
35' Channel
30 - Foot Broad Sound South Channel
27 - Foot Narrows Channel
15 - Foot Nubble Channel
Long Island
President Roads Ship Channel
40 - Foot President Roads Anchorage
Anchorage
Realigned President Roads Anchorage to enlarge deep water anchorage
35' Anchorage
DEER ISLAND
WINTHROP
REVERE
Logan Airport
Ted Williams Tunnel
35' Channel
Reserved Channel
Pleasure Bay
SOUTH BOSTON
40' Channel
Main Ship Channel
Fort Point Channel
EAST BOSTON
Sumner and Callahan Tunnels
MBTA Tunnel
35' Channel
Inner Confluence
Chelsea River
Chelsea St. Bridge
McArdle Bridge
Tobin Bridge
CHELSEA
EVERETT
Island End River
Mystic River
CHARLESTOWN
BOSTON
N
Existing Channel
Realigned Channel
Deepen to -40' MLW
Deepen to -38' MLW
Scale in Feet
0
2000'
4000'

Mr. MYERS. We appreciate that.

Mr. COX. I know you do. I know you hear written testimonies. Just to brief you on the Port of Boston, our primary activities are bulk cargo, particularly petroleum, scrap metal and containerized freight. In 1995, we handled 1.1 million tons of containerized cargo, represents 80 percent of our business in the port, the largest port in New England and serves 13 million residents of the six New England States.

I would like to just concur with the statement recently by Secretary Peña that the Nation is experiencing a dredging crisis that is in fact an economic crisis. We have a project that was first identified by the Corps in 1968 and supported and provided for in a Congressional Resolution that is ready to go, and will alleviate both the dredging and economic crisis that we are really facing up in New England.

In 1990, the project received further support by congressional authorization in the 1990 Water Resource Development Act. And again, I want to emphasize that our crisis of dredging is, in fact, real.

In the last 3 years, we have had 12 bypasses by container ships that call on the port. We are first port of call in from Europe. They come in fully loaded. And 12 bypasses is really quite a lot when you consider just-in-time deliveries, and it is completely unacceptable really to the import/export community as well as the carrier community and it is causing a bit of havoc up our way.

We have the petroleum tankers that have to loiter in our rather pristine outer harbor, which has the environmental community rather concerned because of the—just the nature of a potential accident that would cause. And we have, as a first port inbound, been negotiating or had been talking with carriers from Southeast Asia, as well as a European carrier, about calling on a port, on a last port outbound, which they can't consider when they have to hear that they have to wait for a certain tide in which to first call on our port. So those are very real problems that have an impact on our regional economy and to the importers and exporters who are trying to both receive their and deliver their products on a just-in-time inventory system, which is the norm today.

From 1990 to 1992, the project was really floundering and we took what I think is somewhat of a novel approach in that we set up a dredging advisory group consisting of the Corps, Mass. Port, State and Federal regulatory agents, reps of the environmental constituency groups, which in that period from 1992 to 1995 really brought a complete focus to the problem, and more importantly, to the solution of our dredging project.

Our final environmental impact report has identified a solution to our dredging project and has received rather enthusiastic support and endorsement from the Corps, the EPA, the Massachusetts Department of Environmental Protection and the Mass. Coastal Zone Management, local environmental constituency groups, the governor, the mayor, State legislators, and I think when you go through your hearings you might find it a little bit unprecedented in this country to have everybody, in fact, endorsing a dredging solution.

Further, and unlike many projects, we have the local non-Federal cost share in place ready to go.

As you know, I am here to request that the subcommittee provide the U.S. Army Corps with $18.7 million for fiscal year 1997, to specifically implement the Boston Harbor Improvement Project. This appropriation would enable the Corps and Mass. Port to begin to work on a schedule and allow for completion in approximately 18 months.

We at Mass. Port recognize and realize that budgetary constraints need to be taken into consideration and just simply urge you to consider the amount of effort that has already been made to ensure that the most cost-effective and environmentally sound processes will be used to deepen the port's channels and dispose of the dredge material.

Mr. Chairman, again, I urge the subcommittee to continue the history of strong congressional support for this project by providing adequate level of funding during this fiscal year 1997.

I think I can say with 100 percent surety, that without the commitment of the Federal Government to provide the funding in the next fiscal year, this project will be delayed and probably—I hate to use the word "abandoned." It is just that much of the scientific data becomes useless after awhile and they want you to go back and start studying it, and I would say we are at the end of the line here.

We have put in a great—a great effort, good-faith effort, by everybody concerned into the project, they have endorsed it and I would like to just think our time has come. I hope you will give us serious consideration.

Mr. MYERS. Thank you very much for your fine testimony, Mr. Cox, and apologize to you for the switching around.

Mr. COX. No apologies.

I want to wish you well in your retirement, well deserved.

Mr. MYERS. Thank you.

Mr. COX. Thank you.

Mr. MYERS. Is Dr. Kerry Sublette in the room with Environmental Engineering?

Are there any witnesses in the room that are going to be on this afternoon, who would like to move up?

I guess we will adjourn.

Well, the committee will stand in recess then until we get some Members here.

Well, we will stand in recess then until we find someone who wants to testify.

[Recess.]

TUESDAY, MARCH 5, 1996.

SAN JUAN HARBOR DEEP DRAFT NAVIGATION PROJECT

WITNESS

HON. CARLOS ROMERO-BARCELÓ, PUERTO RICO

Mr. MYERS. The committee will resume hearings.

We are pleased to hear from our colleague from Puerto Rico.

Mr. ROMERO-BARCELÓ. Thank you, Mr. Chairman and members of the committee.

I appreciate the opportunity to testify before the subcommittee today on a project of critical importance to Puerto Rico, which is the San Juan Harbor Deep Draft Navigation Project. And the San Juan Harbor is the most important port in Puerto Rico and one of the 10 largest ports in the United States.

It is our only North Coast port affording protection in all types of weather, and the San Juan Harbor handles over 75 percent of Puerto Rico's nonpetroleum commerce, more than 13 million tons annually. Unfortunately, San Juan Harbor is constrained by the depth of its navigation channel. At the present time, San Juan can accommodate ships with drafts no greater than 38 feet.

This limit is resulting in substantial business going to non-American ports in the Caribbean, including Kingston, Jamaica and Bridgetown, Barbados. The Corps of Engineers has estimated that approximately $10 million in annual benefits is being lost to Puerto Rico and that even worse, navigational safety is being compromised.

The San Juan Harbor Deep Draft Navigation Project is not a new project. The original plans drives from a 1974 recommendation by the Corps of Engineers and was fully authorized by the Water Resources Development Act of 1996, pursuant to a design that was completed in 1982.

Following its authorization, a general reevaluation and environmental assessment was conducted, which led to considerable cost savings and several modifications to improve safety and navigation. When that general reevaluation was completed in March of 1994, the overall cost of the project was reduced from $72.3 million to $43.9 million, a savings of over $28 million from the amount authorized in 1986. Despite these savings, the Corps of Engineers failed to include this project in its fiscal year 1996 new starts because of the legal technicality caused by one of the proposed modifications, which would increase the depth of the outer bar channel by 3 feet for a length of about 300 yards. This single modification, in the view of the Corps of Engineers, was sufficient to require congressional approval before the Corps could commence this project.

The Water Resources Development Act of 1994, which passed the House but was not enacted, included a provision that would have rectified this technicality. It provided that the San Juan Harbor Project would be modified to authorize the Secretary to implement the project in accordance with the General Reevaluation Report and Environmental Assessment dated March 1994, at a cost of $45,457,000, with an estimated Federal cost of $28,251,000, and an estimated non-Federal cost of $17,206,000.

The San Juan Harbor project has a benefit-to-cost ratio of well over 2 to 1. Every year that this project is delayed costs Puerto Rico and the United States millions of dollars in transportation savings and increases the risks of an accident. I strongly believe that the continued delaying of a project with such positive economic benefits, because of a technicality, is precisely the kind of bureaucratic red tape and regulatory inefficiency that this Congress is dedicated to eliminating.

Mr. Chairman, this project is the most important Corps of Engineers project in Puerto Rico today and one of the most important water transportation projects that Puerto Rico has ever undertaken. The Government of Puerto Rico is ready to commit its share of the funding immediately because of the enormous benefits that would accrue to keep San Juan as one of the great ports of the United States and the gateway to the Caribbean. Any further delay is extremely detrimental to the growth of Puerto Rico's economy and to U.S. trade.

Let me finish by urging this committee to include in the fiscal year 1997 appropriations for the Corps of Engineers, sufficient funds to initiate construction of the San Juan Harbor Navigational Project.

And again, thank you for your interest in this project and I look forward to continuing our work together in this and other matters.

Mr. MYERS. Thank you, Carlos. I appreciate your statement.

Mr. ROMERO-BARCELÓ. Thank you.

TUESDAY, MARCH 5, 1996.

INTEGRATED PETROLEUM ENVIRONMENTAL CONSORTIUM

WITNESS

KERRY L. SUBLETTE, SARKEYS PROFESSOR OF ENVIRONMENTAL ENGINEERING, UNIVERSITY OF TULSA

Mr. MYERS. Again, is Dr. Kerry Sublette in the room yet?

Would you like to come forward.

Professor of Environmental Engineering, Center for Environmental Research and Technology, University of Tulsa.

Pleased to have you.

Your prepared statement, Professor, will be placed in the record. You may proceed for 5 minutes as you would like.

Mr. SUBLETTE. Yes.

Thank you very much.

I have a written statement that we are submitting the necessary copies. I have a short statement I would like to read into the record with your permission.

Mr. Chairman, declining price of crude oil and the increasing cost of compliance of environmental regulations have combined to produce a significant decrease in domestic oil production in the United States. The major oil companies have scaled back their domestic operations and refocused that exploration of production activities on foreign resources.

The 8,000 independent producers are faced with only two options, one, producing from the domestic resource base or, two, going out of business. At the same time, independents are increasingly the inheritors of mature fields and resolvers left behind by the majors. Yet compared to the major producer, the independent producer is the most vulnerable to the declining price of oil and gas and the cost of environmental compliance and unfavorable tax policies.

The independent producer has only one source of revenue and that is the sale of oil and gas. There is no vertical depth to his business. These factors have combined to not only greatly reduce the number of new wells drilled, but also to accelerate the plugging of marginal or stripper wells.

In the United States, a stripper well is plugged every 30 minutes. At the same time, new well completions in the United States are at a 45-year low.

Clearly, this trend is not in the best interest of the United States in terms of energy self-sufficiency or national security. We are turning over the control of our cost of production in terms of energy costs to foreign interests. If domestic exploration and production and refining are to continue to play a strategic role in meeting U.S. energy needs, the domestic petroleum producer will require access to low-cost technology for waste minimization and environmental remediation.

A reduction in environmental compliance costs will have the greatest impact on the national economy when applied at this level, the level of the extraction industries. Lower energy costs will make all industry more competitive.

For strategic and economic reasons, the U.S. petroleum industry must be able to compete with foreign producers. A major sector of our economy and our national interests are clearly at stake.

The strategic ports—the importance of this industry requires that industry, government and academia combine their resources and coordinate their efforts towards finding solutions for environmental problems that represent the greatest challenge to the competitiveness of the domestic industry.

The success of this effort will not only stimulate jobs in this industry sector but also contribute in a large way to the environmental health of the Nation. In response to this problem, four major universities in the oil- and gas-producing States of Oklahoma and Arkansas have joined together to form the Integrated Petroleum Environmental Consortium.

The mission of IPEC is to increase the competitiveness of the domestic petroleum industry through a reduction in the cost of compliance to U.S. environmental regulations. Objectives specific to meeting this goal are to develop—the development of cost-effective environmental technologies, to meet regulatory challenges to the competitiveness of the domestic industry, training of environmental professionals as an investment in technology and policy development, dissemination of information regarding technology development and legal and regulatory issues and acting as a resource to Congress and Federal and State regulatory agencies and the domestic petroleum industry to provide an objective assessment of existing and proposed environmental regulations on the basis of a cost-benefit and risk analysis.

The integrated petroleum environmental consortium is a consortium of four universities, as I have said, in Oklahoma and Arkansas, the University of Texas—excuse me, the University of Tulsa, the University of Oklahoma, Oklahoma State University and the University of Arkansas. The operational activities of IPEC will be directed by an executive committee composed of two faculty members and one research administrator from each of these four universities.

The Chair of the executive committee will rotate annually among the participating universities. Importantly, the executive committee will be advised by the industrial advisory board composed of technical, legal and business environmental professionals from the major oil companies and the independent producers.

The industrial advisory board will have the last word on funding decisions for technology development projects. If in the opinion of the advisory board a proposed project does not help fulfill the mission of the consortium, it will not be funded. All four of the IPEC universities have signed a memorandum of understanding forming IPEC and agreeing to this organizational and operating structure.

IPEC is seeking a $4 million appropriation for fiscal year 1997 and the succeeding fiscal years of 1998, 1999, 2000, 2001, through the Department of Energy. The consortium will be responsible for private sector and State support of no less than 25 percent of Federal appropriations in fiscal year 1997, and an average of 50 percent of Federal appropriations over a 5-year period.

The consortium will be subject to review as of September 30th, 1998, and each 12-month period thereafter to ensure the effectiveness—to ensure the effective production of data, regulatory assessments and technology development, meeting the stated goals of the consortium.

Thank you, Mr. Chairman.

Mr. MYERS. Well, thank you very much for your statement, professor.

[The statements of Mr. Sublette and the Honorable Steve Largent follow:]

Testimony Presented to the House Appropriations Subcommittee on Energy and Water for Fiscal Year 1997

by

The Integrated Petroleum Environmental Consortium

Witness: Kerry L. Sublette
Sarkeys Professor of Environmental Engineering
University of Tulsa

It is proposed that the U.S. Department of Energy establish and support a focused, university-based program, the Integrated Petroleum Environmental Consortium (IPEC), with the goal of increasing the competitiveness of the domestic petroleum industry through a reduction in the cost of compliance with U.S. environmental regulations. Federal support is specifically requested as part of the FY 1997 appropriation for the Department of Energy through the BER account or other source the Subcommittee may determine to be appropriate.

The Crisis in the U.S. Domestic Petroleum Industry

The availability of energy will be the single most important factor in determining quality of life in the United States over the next century. Jobs, manufacturing output, transportation, and personal comfort are all tied to a plentiful, affordable energy supply. The petroleum industry has played a major role in meeting energy needs in this century. Petroleum will continue to be a major factor in the energy needs of the world well into the next century. However, the declining price of crude oil and the increasing cost of compliance with environmental regulations have combined to produce a decrease in domestic oil production in the U.S. The major oil companies have scaled down their domestic operations and refocused their exploration and production activities on foreign resources. The 8000 independent producers are faced with two options - producing from the domestic resource base or going out of business. At the same time, the independents are increasingly the inheritors of mature fields and reservoirs left behind by the majors. Yet compared to the major producer the independent is the most vulnerable to the declining price of oil and gas, the costs of environmental compliance and unfavorable tax policies. The independent producer has only one source of revenue--the sale of oil and gas. There is no vertical depth to his business. These factors have combined to not only greatly reduce the number of new wells drilled but also to accelerate the plugging of marginal or stripper wells. In the U.S. a stripper well is plugged every 30 minutes. At the same time new well completions are at a 45-year low.

Clearly this trend is not in the best interest of the U.S. in terms of energy self-sufficiency or national security. We are turning over control of our cost of production in terms of energy costs to foreign interests. If domestic exploration and production and refining are to continue to play a strategic role in meeting US energy needs, the domestic petroleum producer will require access to low cost technology for waste minimization and environmental remediation in exploration and production (E&P), refining, transportation and end use of petroleum.

In many cases this technology does not now exist in a cost-effective form. Conventional waste treatment and pollution control technologies always add to E&P, refining and transportation costs. These costs are increasingly out of proportion with the economic output of the petroleum industry. In 1991, four industry sectors (chemicals, petroleum, pulp and paper, and primary metals) incurred three-fourths of the $21 billion spent by U.S. manufacturers to comply with pollution control regulations. However, these sectors accounted for about one-fifth of U.S. manufacturers' value added (Office of Technology Assessment). In 1992, the domestic petroleum industry spent $10.5 billion on the environment. This is more than the top 300 oil and gas companies earned in profits that year and more than the industry spent searching for oil and gas in the U.S. in 1992. With oil at $16 per barrel at the wellhead, the industry spent $4 on environ-mental protection for every domestically produced barrel of oil - $41 for every man, woman and child in America (*Oil and Gas Journal* and the American Petroleum Institute).

All U.S. industry is caught in the conflict between national economic and environmental goals. Pollution control in the petroleum industry presents regulatory hurdles for U.S. domestic production and refining that producers and refiners in many other countries do not face. This places U.S. producers and refiners at a global competitive disadvantage. The U.S. petroleum industry needs cleaner, more cost-effective technologies and new approaches to lower the costs of complying with pollution and waste disposal regulations that U.S. society demands. A reduction in environmental compliance costs will have the greatest impact on the national economy when applied at this level - the level of the extraction industries. Lower energy costs make all industry more competitive. The petroleum industry and the nation would benefit not only from lower compliance costs, but also from the jobs and commerce preserved in the domestic petroleum industry and the related trade in capital equipment and professional services in industries that service the petroleum industry. New technologies for pollution control and remediation will also be an exportable product.

The Integrated Petroleum Environmental Consortium (IPEC)

For strategic and economic reasons the U.S. domestic petroleum industry must be able to compete with foreign producers and refiners. A major sector of our economy and our national interests are clearly at stake. Compliance with environmental regulations is a major factor in that competitiveness. The strategic and economic importance of this industry requires that industry, government and academia combine their resources and coordinate their efforts toward finding solutions for the environmental problems that represent the greatest challenge to the competitiveness of the domestic petroleum industry. The success of this effort will not only stimulate jobs in this industry sector, but also contribute in a large way to the environmental health of the nation. In response to this need, the four major research universities in the oil-producing states of Oklahoma and Arkansas have joined together to form the Integrated Petroleum Environmental Consortium (IPEC). The mission of IPEC is to increase the competitiveness of the domestic petroleum industry through a reduction in the costs of compliance to U.S. environmental regulations. Objectives specific to meeting the goals of the consortium include the following:

1. Development of cost-effective technologies and business practices to meet the challenges of environmental regulations to the competitiveness of the domestic petroleum industry.

As already noted, new technologies are needed in the petroleum industry now to provide cost-effective solutions to environmental problems in exploration and production and refining. The U.S. petroleum industry is already undertaking this challenge; however, the industry needs help. The domestic petroleum industry is devoting ever more of its resources toward meeting a growing body of environmental regulations as the price of oil declines. The inevitable result has been severe reductions in work force and closings. The domestic petroleum industry has lost 500,000 jobs in the last decade including 10,500 in the last six months. It is time for the federal government to re-evaluate the regulatory burden on the domestic petroleum industry and to help the industry develop the cost-effective technologies it needs to meet meaningful environmental standards. With a dwindling technical work force caused both by redirecting E&P operations and layoffs, the domestically-oriented work force is increasingly focused on environmental compliance, not technology development. Industry laboratories which were once on the forefront of technology development are now empty and dormant. What is left of the once busy industry research centers are technical service centers. The former research leaders still employed are now "putting out fires" and the independent producers rarely have a technical staff for any kind of R&D. The U.S. petroleum industry is relying more and more on technical professionals in academia for research. However, budgets are tight and only the most immediate of problems are being addressed. Even a 3-5 year time frame is often farther out than the industry can afford to look

The federal government should direct a larger segment of R&D resources to the development of new, cost-effective environmental technologies to support the domestic petroleum industry. A critical segment of this effort should be support of university research. A major part of this research funding should place emphasis on providing near-term solutions to these problems with direct input from the petroleum industry. In partnership with industry, IPEC can help provide these solutions.

The petroleum industry will measure the relevancy of research in terms of the tangible results produced. In the context of the vision of IPEC this means new, cost-effective technology made available to industry. The greatest impact on competitiveness on the domestic petroleum industry will be made by improved solutions to problems which have a significant economic impact on the industry. The research conducted within IPEC will, therefore, by necessity have a strong applied element.

IPEC will use an integrated team approach to technology development. The teams will not only be integrated with respect to scientific or engineering discipline but also integrated with respect to the technology development process itself. In other words the teams will also consist of members whose expertise is in scale-up and commercialization of new technology. If the work product of the team is to make a significant impact in the domestic petroleum industry the most important member of the team will be the end user of the technology. A teaming of investigators from different disciplines and representing different levels of the technology development process will greatly facilitate communication among the investigators and keep the team focused on solving the problem. The team approach is certainly the shortest path to making a meaningful impact on the competitiveness of the domestic petroleum industry.

This team and systems approach to solving real problems in the domestic petroleum industry will be the hallmark of IPEC. Fundamental research will be coupled with bench-scale testing of concepts, pilot testing, field demonstrations and technology transfer. The end user of the technology will always be heavily involved in technology development as an advisor and hands-on participant. As an investment in future technology development, undergraduate and graduate students will be integrated into every aspect of the work of the consortium. Undergraduate students will gain valuable experience working on consortium projects while graduate students will use consortium research work for their theses and dissertations. The integrated approach to technology development will give these students much needed pilot and field experience and industrial contacts.

Competitive business practices are perhaps equal in importance to technology development, especially to the independent producer. The development of new business practices with respect to accounting, taxation, finance, forecasting, etc. are needed which can put the producer in a better position to determine the financial risks of potential environmental costs and manage those risks in order to maximize profitability. Reduced financial risk and growth create jobs.

2. Training of environmental professionals as an investment in technology, policy and business development.

IPEC universities will continue to graduate scientists and engineers who have a strong foundation in a basic engineering discipline, physical science, or biological science with additional training in environmental technologies at the undergraduate or graduate level to produce environmental specialists. Environmental issues cut across many disciplines. Therefore, this additional training is cross disciplinary to give students a broad understanding of environmental problems. This includes environmental law and policy and the financial and economic impact of environmental regulation on the domestic petroleum industry.

Environmental policy curricula at IPEC universities will be enhanced to include a prerequisite foundation in a field of engineering or science. Those who shape environmental policy should fully understand the impact of those policies. IPEC universities also will develop new curricula to explore the boundary between environment and business in terms of accounting practices, economics, finance and taxation. A new kind of environmental specialist, invaluable to the petroleum industry, can arise out of the area where issues of environment and business converge.

In addition to training the environmental specialist, IPEC universities are committed to making all of their graduates environmentally aware. This is especially true of graduates in technical fields whose employment activities can have a direct environmental impact. These curricula will be enriched with an environmental component integrated into their course of study. The result of this enrichment will be a scientist or engineer who considers the environmental impact of a project up front and minimizes wastes.

3. Dissemination of information regarding technology development, legal and regulatory issues, and business practices which can impact the competitiveness of the domestic petroleum industry

Research results from all IPEC technology and business practice development projects will be documented through standard DOE reporting procedures. IPEC investigators also will deliver papers and contribute journal articles on noteworthy achievements. All resulting citations can then be picked up and disseminated through such standard online databases as DOE's "Energy Science and Technology", the American Petroleum Institute's "APILIT", and TU's "Petroleum Abstracts".

IPEC also will provide a central repository for all reports, papers, and articles resulting from its research projects. These documents will be available on demand from the repository for the fulfillment of external orders. Where appropriate, IPEC research results also will be compiled into databases for nationwide access via Internet. Information concerning the databases will be distributed to the domestic petroleum industry and other interested users through exhibits at selected conferences, the trade literature, target mailings and Internet Listserv messaging. Every effort will be made to guarantee equity of access throughout the petroleum industry. IPEC also will establish a feedback mechanism through which the major and independent oil and gas producers can inform the R&D community of their experiences with new technologies as well as their technology needs.

IPEC also will serve as a resource for Congress, federal and state regulatory agencies and the domestic petroleum industry to provide an objective assessment of existing or proposed environmental regulations on the basis of cost/benefit and risk analysis.

Lastly, there also is an acute need for readily accessible continuing education opportunities for scientists, engineering, legal professionals, accountants, economists, etc. in the petroleum industry to provide environmental retooling and continual updating. The environmental field is progressing rapidly. Activities such as focused environmental seminars, workshops, short courses, telecourses, etc. can sharpen the skills of participants and act as conduits for new ideas and technologies into the petroleum industry.

Organization and Operating Practices of IPEC

The Integrated Petroleum Environmental Consortium (IPEC) is a consortium of four universities in Oklahoma and Arkansas: The University of Tulsa (TU), The University of Oklahoma (OU), Oklahoma State University (OSU), and The University of Arkansas (UA) at Fayetteville. The fiscal center of IPEC will be the University of Tulsa which is the sole subcontractor to BDM-Oklahoma which is the M&O contractor for the Bartlesville, OK Department of Energy facility, the National Institute for Petroleum and Energy Research (NIPER). Through NIPER, BDM Oklahoma and TU are responsible for implementation of the National Oil Program for the DOE. IPEC will be an extension of this effort.

The operational activities of IPEC will be directed by an executive committee composed of two faculty members and one research administrator from each of the four universities (TU, OU, OSU, UA). The chair of the executive committee will rotate annually among TU, OU, OSU and UA. IPEC will be very much industry driven to ensure that the consortium is meeting the needs of the industry and fulfilling its mission. The executive committee will be advised by an industrial advisory board composed of technical, legal and business environmental professionals from major oil companies and independent producers. The industrial advisory board will have the last word on funding decisions for technology development projects. If, in the opinion of the advisory board, a proposed project does not help fulfill the mission of the consortium the project will not be funded. All four of the IPEC universities have signed a memorandum of understanding forming IPEC and agreeing to this organizational structure.

The South-central Environmental Resource Alliance (SERA)

In order to bring additional resources into IPEC and further ensure the success of its programs, IPEC has entered into an alliance with the Waste-management Education and Research Consortium (WERC). WERC was established through DOE sponsorship to expand the nation's capability to address waste management issues through education, technology development and technology transfer. WERC's special niche is radioactive, hazardous and solid waste management. WERC's members are New Mexico State University, University of New Mexico, New Mexico Tech, and Navajo Community College in collaboration with Sandia National Laboratories and Los Alamos National Laboratory. The missions of IPEC and WERC will be enhanced by a synergistic collaboration between the two consortia as the South-central Environmental Resource Alliance.

Funding of IPEC

IPEC is seeking appropriations of $4 million for FY 1997 and the succeeding fiscal years 1998, 1999, 2000, and 2001 through the Department of Energy. The consortium will be responsible for private sector and state support of no less than 25% of federal appropriations in FY 1997 and an average of 50% of federal appropriations over a five year period. The consortium will be subject to review as of September 30, 1998 and each 12-month period thereafter to ensure the effective production of data, regulatory assessments, and technology development meeting the stated goals of the consortium.

STATEMENT OF
THE HONORABLE STEVE LARGENT
MEMBER OF CONGRESS
1ST DISTRICT OF OKLAHOMA
BEFORE
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
APPROPRIATIONS COMMITTEE
U.S. HOUSE OF REPRESENTATIVES

MARCH 5, 1996

Mr. Chairman and members of the Subcommittee, I appreciate the opportunity to offer my support for the Integrated Petroleum Environmental Consortium (IPEC). Over the past year I have become quite familiar with IPEC's mission and its correlation to the Department of Energy's Fossil Energy Research and Development Budget.

As you no doubt are aware, declining crude oil prices and increasing environmental regulation compliance costs, have combined to create a serious downturn in the domestic petroleum industry. In my state of Oklahoma and other oil producing states, independent producers are going out of business while major oil companies are moving their exploration and production overseas and shutting down refineries -- the result has been the loss of thousands of high-skilled and high-paying jobs.

Therefore that leaves the remaining independent producers with two options -- producing from the domestic resource base or going out of business. Independents are increasingly the inheritors of mature fields and reservoirs left behind by the majors. Clearly this trend is not in the best interest of the U.S. in terms of energy self-sufficiency or national security. If domestic production and refining are to continue to play a strategic role in meeting U.S. energy needs, the domestic petroleum producer will require access to low cost technology for waste minimization and environmental remediation in exploration and production, refining, transportation and end use of petroleum. A reduction in environmental compliance costs for the domestic oil and gas extraction industries will have a positive impact on the national economy. The petroleum industry and the nation would benefit not only from lower compliance costs, but also from the jobs and commerce preserved in the domestic petroleum industry and the related trade in capital equipment and professional services in industries that service the petroleum industry.

IPEC's mission is designed to increase the competitiveness of the domestic petroleum industry through a reduction in the costs of compliance with U.S. environmental regulations. Specifically IPEC will develop cost-effective technologies for the domestic petroleum industry to solve those environmental problems which are having the greatest impact on the cost of production and refining in the U.S. Reductions in the cost of production will directly stimulate an increase in oil supply and reductions in refining costs will lead to increased capacity to refine this crude oil into usable fuel.

The petroleum industry enthusiastically supports IPEC's mission, so much so, that IPEC has included a cost sharing plan that calls for 50% cost sharing by industry on any federally funded project. The hallmark of IPEC research will be the teaming of academic and industry environmental professionals to ensure sound science research to help facilitate the transfer of the technology directly to the end user. I would also add that before a university or universities are selected to participate in IPEC -- they will be subject to peer review and the selection criteria will be merit based.

Mr. Chairman and members of the Subcommittee, I respectfully request that you consider IPEC's $4 million request to the Energy and Water Development appropriation. I thank you for considering my testimony and your consideration of this worthy proposal.

TUESDAY, MARCH 5, 1996.

DOE'S CIVILIAN RADIOACTIVE WASTE MANAGEMENT PROGRAM

WITNESS

CAMERON L. McRAE, CHAIRMAN, NYE COUNTY COMMISSIONERS

Mr. MYERS. Chairman McRae, Chairman of the Nye County Commissioners.

Chairman, your prepared statement will be placed in the record, and you may proceed as you would like for 5 minutes.

Mr. MCRAE. I appreciate it very much.

Mr. Chairman, my name is Cameron McRae, and I am the Chairman of the Nye County Board of Commissioners. I want to thank the committee for an opportunity to present our views on the critical importance—on this critical matter of importance in our county.

Our county is the situs jurisdiction for the Yucca Mountain Project and if legislation currently before Congress is enacted, it will be designated as a location for the Nation's only interim spent-fuel storage installation. More than any other jurisdiction in this country, Nye County may be asked to bear the burden of managing the Nation's spent fuel and high-level nuclear waste.

Nye County believes that it is vital that Congress fund its obligation for Nye County's Yucca Mountain monitoring and independent scientific activities as called for in the Nuclear Waste Policy Act. This is a matter of national importance that speaks to the fundamental fairness and the potential future success of nuclear waste management facilities sitings.

Nye County is the second largest county in the lower 48 States. A majority of our residents live within 35 miles of the Yucca Mountain site. Many of them draw their drinking water and irrigation waters from the aquifers that we believe are down-gradient from and/or are connected to the groundwater system below this proposed site.

The Federal Government has an overwhelming presence in Nye County. The vast majority of our county is managed by Federal agencies. The Nevada test site, Nellis Air Force Range, Tonopah Test Site Range occupy approximately 2.1 million acres within our county.

Many hundreds of square miles of these areas have been contaminated by these defense activities, much of which will never be cleaned up. More nuclear waste has already been disposed of in Nye County than any other jurisdiction in this Nation. Far larger volumes are planned for the future.

During this decade, Congress has spent hundreds of thousands of dollars sending a nuclear waste negotiator all over the country offering States and tribes a king's ransom for accepting the nuclear waste that no one else wants.

Having met with no success, this leaves Nye County standing alone at this time as the home of this high-level waste. We hope Congress has taken note of at least one of the root causes for the negotiator's lack of success.

A concern is that the—is that—a concern of the State's is that the Federal Government could not be trusted over a long-term of carrying out its end of the site end agreements. In this light, it would make sense that Congress would step forward and take affirmative action to eliminate this very concern.

A key principle has evolved over the years, including most recently by the National Academy of Sciences. They have said that those who have the greatest at stake by nuclear waste management decisions should have the ability to participate in those decisions and monitor those project activities.

Congress has accepted this premise for the past 12 years. This year, however, Congress has directed the Department of Energy not to provide funds for Nye County's monitoring and oversight program, even though our efforts remain authorized by the Nuclear Waste Policy Act and particularly even though by all accounts our program is highly regarded and is in conformance with all the—with all of Congress' expectations.

Nye County is concerned about the possibility of there being no funding for our program and we hope that that should not happen. But if it does, the consequences are catastrophic. We know all human effort and engineered solutions are subject to error. That is why there are redundant systems in reactor designs. We also know that the fiduciary and scheduled pressures can exert enormous pressure to cut corners. An unlikely event can happen, particularly with humans in charge.

The other major concern is for the long-term integrity of the hydraulic systems that pass underneath Yucca Mountain. We are not paranoid about these issues, nor are our expectations of Congress unreasonable. We must be able to assure ourselves and the ever-growing population of our county that everything is in order. If it was your county, you would feel the same way.

You need to understand that even within our own State, Nye County's voice, coming as it does from a rural community, is more often than not eclipsed by its two urban counterparts, Las Vegas and Reno. On this issue, let me be clear. The State of Nevada's approach to nuclear waste issues is not the one Nye County is pursuing. The State Governments are often viewed as—at the Federal levels as monolithically acting on behalf of all the subdivisions, including local governments.

Mr. BEVILL [presiding]. Mr. McRae, your time is up. But can you wrap it up in 30 seconds?

Mr. MCRAE. Yes, sir. I would hope.

Mr. BEVILL. We will have your full statement in the record, of course.

Go right ahead.

Mr. MCRAE. I would just hope that Nye County's past participation in this program and the positions that we have taken to support the engineering and scientific data in an effort to have an opportunity to see that our citizens, of the county where this is going to be housed, can be properly maintained through the funding of our oversight programs.

With that, I will, again, thank you for allowing me to testify.

Mr. BEVILL. Thank you. Thank you very much.

[The statement of Mr. McRae follows:]

TESTIMONY OF CAMERON L. McRAE
CHAIRMAN, BOARD OF COMMISSIONERS
NYE COUNTY, NEVADA
HOUSE APPROPRIATIONS SUBCOMMITTEE ON ENERGY & WATER DEVELOPMENT
March 5, 1996

Mr. Chairman, my name is Cameron McRae. I am the Chairman of the Nye County, Nevada Board of County Commissioners. I want to thank the Committee for the opportunity to present our views on a matter of critical importance for Nye County. Our County is the *situs* jurisdiction for the Yucca Mountain Project, and if legislation currently before Congress is enacted, will be designated as the location for the nation's only interim spent fuel storage installation. More than any other jurisdiction in the country, Nye County may be asked to bear the burden for managing the nation's spent fuel and high-level nuclear waste.

Now more than ever, Nye County believes it is vital that the role of local oversight of waste management facilities be funded and sustained as called for in Section 116(c) and 117 (d) of the Nuclear Waste Policy Act, as amended.. It is a matter of national importance that speaks to the fundamental fairness and the potential future success of nuclear waste management facility siting.

Background About Nye County

Nye County is the second largest county in the lower 48 states--about the same size as Vermont and New Hampshire combined. In contrast to being a "forlorn stretch of desert...100 miles from Las Vegas," as recently described in a Washington Post article on nuclear waste, our area has exceptional natural beauty and a long and dynamic history that has been shaped by Native Americans, the Gold Rush and the “Old West”. The majority of our 26,000 residents live within 12 to 35 miles from the Yucca Mountain. Many draw their drinking and irrigation water from aquifers that we believe are down-gradient from, and connected to, the groundwater system below the site.

Our economy has historically been based on mining and ranching. With the arrival of ever increasing numbers of retirees, new businesses, and others, however, services have become the dominant economic sector.

We are one of the fastest growing counties in the country. Our population tripled during the last 15 years and we expect it to double again during the next 15 years. As a reminder of the startling change that can occur in the demographics of our “forlorn stretch of desert”, we need only look upon the Las Vegas Valley that was empty only 75 years ago and where one million people now reside.

The federal government has an overwhelming presence in Nye County. Altogether, 93 percent of the County is managed by federal agencies, principally by the Bureau of Land Management. The Nevada Test Site, Nellis Air Force Range, and Tonopah Test Range occupy 2.1 million acres, or about 19 percent of the total land area in the County. These installations have provided a unique platform for weapons testing, advanced research projects, military training, and other sensitive activities. The accompanying figure shows the location of key federal installations in Nye County.

Many hundreds of square miles have been contaminated by these defense activities, much of which will never be cleaned up. More nuclear waste has already been disposed of in Nye County than any other jurisdiction in the nation. In 1995 alone, 885,000 cubic feet of low-level radioactive waste were disposed at the Nevada Test Site. Far larger volumes are planned for the future.

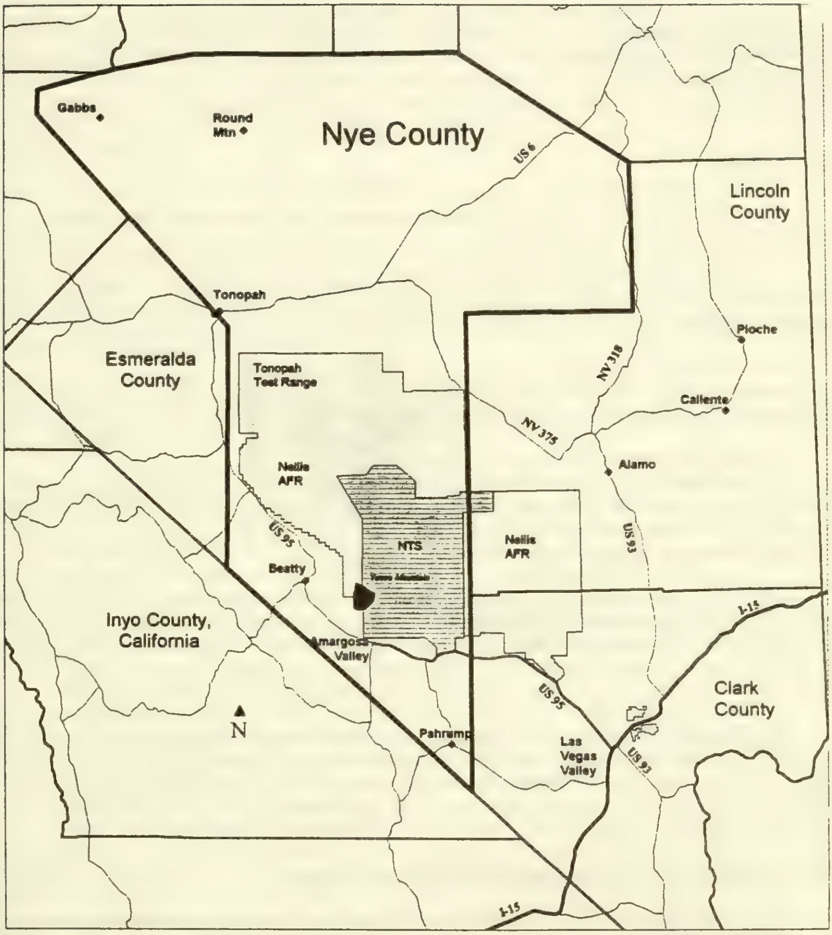


Figure 1. Nye County in Relation to the Nevada Test Site and Yucca Mountain

Unfortunately, Nye County has realized little benefit from the presence of these federal installations. Ever since the Nevada Test Site (NTS) was established, the federal government has provided subsidies that encouraged workers and support operations associated with NTS and Nellis to be located outside of Nye County. At present only one of ten employees who works at the Test Site live in Nye County and less than one tenth of one percent of Test Site procurements flow through Nye County businesses.

Local Oversight

The people most affected by waste management decisions should have the ability to participate in those decisions and monitor project activities.

During this decade, Congress spent hundreds of thousands of dollars sending a "nuclear waste negotiator" all over the country offering States and Tribes a king's ransom for accepting the nuclear waste that no one else wants. The Negotiator's office was shut down having met with no success.

We had hoped that Congress would have taken note of at least one of the root causes for the Negotiator's lack of success. A key state concern was that the federal government could not be trusted over the longer term to carry out its end of a siting agreement[1].

Certainly spent nuclear fuel from commercial reactors is one of the human race's most toxic substances. And there is no doubt that nuclear waste has also been proven to be lethal to politicians who end up on the wrong side of the issue. But regretfully and most importantly, when it comes to nuclear waste, people are skeptical of the federal government's credibility in meeting its commitments and its willingness to do the right things to protect them.

In this light, it makes little sense that Congress would step in and reinforce this very concern. A key principle that has evolved over the years, and one that has been most recently advocated by the National Academy of Sciences, is that those who have the greatest at stake by nuclear waste management decisions should have the ability to participate in those decisions and monitor project activities.

After accepting this premise for the past twelve years, however, this Congress has directed that the Department of Energy not provide funds for Nye County's monitoring and oversight program, even though our efforts remain authorized by the Nuclear Waste Policy Act. This action is perplexing in that it ignores the key role of community trust, confidence and involvement in achieving a long-term solution to nuclear waste disposal.

Why Nye County Seeks to Sustain Independent Oversight Authority

The low probability, but high consequence potential incident is one of the major drivers for Nye County to seek independent oversight authority and funding. We know all human endeavors and engineered solutions are subject to error. Redundant systems in reactor designs account for this reality. We also know that fiduciary and schedule pressures can exert enormous pressure to cut corners. The probability of a significant problem for an interim storage facility is remote, for example, the consequences of error could be devastating. We were reminded of this reality when we learned that a metal "basket" in a dry cask at the Palisades, Michigan reactor site was recently found to have a crack and will need to be replaced. The basket keeps spent fuel rods separated from one another in a storage cask and had decades left in its design life. An unlikely event can happen, particularly with fallible humans in charge.

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[1] See Governor of Wyoming Mike Sullivan, Letter to Fremont County Commissioners, August 21, 1992.

The other major concern is for the long-term integrity of the hydrologic systems that pass underneath Yucca Mountain.

This need to assure, for ourselves, that everything is in order is must not be construed to be paranoia nor unreasonable.

The challenge we face is to not let the important decisions about the Yucca Mountain Project, the siting of an interim storage facility or even the future of the Nevada Test Site be made by others wholly uninformed by the observations and concerns of our residents. Even within our own state, Nye County's voice - coming as it does from a rural community -- is more often than not eclipsed by its two urban counterparts in Las Vegas and Reno.

Nye County residents, for example, made up only 4% of the respondent base in a recent survey sponsored by the University of Nevada concerning the future role of the Nevada Test Site. Yet the Nevada Test Site is 100% within the boundaries of Nye County.

In the context of nuclear waste policy, Nye County, therefore, finds itself in an awkward and untenable position in the national debate.

State governments are often viewed at the federal level as monolithically acting on behalf of all subdivisions, including local governments. In many instances, this is in reality mere convenience for national officials unable or unwilling to delve into the messy political dynamics of competing interests that exist within any state. On the issue of nuclear waste, for example, Nye County differs in its approach from that taken by the State. In this respect, at least, the State is not monolithic.

The State of Nevada brooks no talk of failure in its efforts to stop the Yucca Mountain Project and/or an interim storage facility. For the State and its Congressional delegation, there are no "what ifs?" In contrast, Nye County has assumed that the worst case can, in fact, happen. Consequently, our stance on nuclear waste is one of "principled neutrality," *i.e.*, we do not embrace the potential of hosting nuclear waste facilities, but we behave as if that *possibility* is real.

We have been criticized by both opponents and advocates for standing by this position. One of our own Senators has branded us "quislings." Some in Congress or the nuclear industry want to rationalize away the very real dangers posed by disposal of spent fuel and high-level waste. These proponents wonder why we do not embrace interim storage or permanent disposal as an economic development opportunity. Our neutrality, one Congressional staffer has asserted, "does not get us to the table." In reality, in a national policy area as volatile as nuclear waste, a choice in either direction isolates us from the polar opposite "other side" and invites challenges to the integrity of our oversight program and independent scientific investigations.

Our intent with regard to nuclear waste issues, in short, must be to protect ourselves by relying on our own vigorous technical oversight, addressing project impacts, and working to obtain reasonable equity offsets.

Until this fiscal year, Nye County has maintained a well regarded oversight program that has matured over the last twelve years. The County has addressed waste management program concerns that would have seemed impossible only a few years ago[2]. For example, Nye County has drilled a borehole at Yucca Mountain to collect data that can independently verify data collected by DOE and to has demonstrated the utility of alternative, less expensive, drilling technologies. The County has developed unique databases on socioeconomic and transportation conditions that are useful to County residents, and presumably, to DOE. In addition, County representatives regularly comment on DOE and other agency reports and analysis.

The Nye County oversight program has included top-flight technical and socioeconomic programs. Data and analyses have been widely shared and have been recognized by federal and independent review agencies for their high quality. The County has also participated constructively in Nevada Test Site issues by serving as a cooperating agency for the NTS Environmental Impact Statement, participating on the Citizens Advisory Board, and engaging in direct briefings and consultations regarding environmental management negotiations and budget issues.

Of utmost importance, community residents have relied on our program as a source of objective information. They have been deeply troubled by the loss of our ability to conduct meaningful oversight even while Yucca Mountain site characterization continues, and even as Congress still appears inclined to locate an interim storage facility at NTS. The inability of Nye County to participate fully in such activities will undermine the Department's efforts to build the public trust and confidence in our community that all agree is necessary for the nuclear waste program and environmental cleanup efforts to ultimately succeed.

While the whole nation has a stake in the success of the nuclear waste management program, the actual impacts of transporting, storing or disposing thousands of metric tons of nuclear wastes will be concentrated in Nye County, Nevada. Surely the nation can and should meet its obligations and commitments to the community upon which this burden may well be imposed.

The Yucca Mountain Project's level-of-effort may be reduced this year, but site characterization work continues and the tunnel boring machine grinds its way through the mountain. New authorizing legislation may yet redirect the civilian radioactive waste management program toward interim storage at NTS. In either case, the stakes for our community are enormous. Congress should be willing to support our efforts to conduct meaningful and effective independent scientific investigations and general program monitoring. Please provide the financial assistance, Nye County needs to continue its efforts to oversee the work being performed at Yucca Mountain and in the engineering offices.

Thank you Mr. Chairman and Committee members for listening to Nye County's appeal to you today.

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[2] Yucca Mountain Affected Units of Local Government, *Annual Report, FY 1995*, December 1995.

NYE COUNTY NUCLEAR WASTE REPOSITORY PROGRAM HIGHLIGHTS

The following program highlights demonstrate the nature of Nye County's efforts:

- **Formal Interactions Process Defined and Protocol Agreements Negotiated between Nye County and DOE.** Upon Nye's initiative, efforts were undertaken in 1990 to establish formal interactions between Nye and DOE. Subsequent to reaching agreement on a Framework for Formal Interactions dated April 2, 1991, protocol agreements have been reached entitled: (1) Principles and Procedures for Interaction, (2) Socioeconomic Monitoring and Assessment, and (3) Procedures for Nye County On-Site Representation.

- **Drilling Completed and Data Collected from an On-Site Borehole.** Nye County has completed a borehole at Yucca Mountain and has installed state-of-the-art downhole instrumentation under quality-assured conditions. The borehole has demonstrated an alternative drilling technology that offers significant economies over those in use by DOE, without sacrificing data quality. The initiative continues to provide geochemical, hydrologic, air permeability, and temperature data for the purpose of modeling and independent verification. All data collected has been made available on a monthly basis to any interested party, including the NRC, DOE, and the State.

- **Instrumentation Installed in a Dormant DOE Borehole and in the Tunnel.** Nye proposed, and DOE allowed, the installation of a similar downhole instrumentation package in an unused borehole. The County has also installed three devices that measure barometric pressure, relative humidity, and temperature within the tunnel. All data collected has been made available on a monthly basis to any interested party, including the NRC, DOE, and the State.

- **Workshop Convened on Pneumatic Pathway Data Collection.** Nye County formally advised DOE of its concern that data measuring air flow through Yucca Mountain be collected before the tunnel for the exploratory studies facility was bored through the mountain. Nye convened a scientific workshop to further investigate its concerns. Participation included representatives from DOE, NRC, Lawrence Livermore National Lab, Los Alamos National Lab, U.S. Geologic Survey (USGS), the State of Nevada, and independent scientists. DOE subsequently revised its surface-based characterization program to implement some of the recommendations emanating from the workshop.

- **Independent Analysis Completed of Air Permeability Tests at Yucca Mountain.** Subsequent to the Pneumatic Pathways Workshop, Nye conducted an independent assessment of the methodology for collecting air permeability (air flow) data and successfully influenced the USGS to modify its approach.

- **Data Collection Completed on Baseline Socioeconomic and Fiscal Conditions of Nye County.** To demonstrate the need to mitigate potential socioeconomic impacts, Nye County has completed a comprehensive analysis of baseline socioeconomic and fiscal conditions in the County, against which future changes brought on by the Yucca Mountain Project or interim storage facility could be compared.

- **Design Completed of Economic/Demographic and Predictive Impact Models.** The County has developed predictive impact models in light of the tremendous uncertainty regarding the ultimate deployment and design of nuclear waste management facilities and of the need to be prepared for impacts that could be associated with the range of possible scenarios.

- **Definitive Survey Completed of Alternative Transportation Routes through Nye County.** The County developed an analysis of key features of the alternative transportation routes currently under consideration in an effort to help County residents understand the possible impacts each might present. The analysis is the most detailed now available to the public and to other interested parties.

- **Disaster Drill Undertaken to Assess Emergency Preparedness.** Nye hosts major nuclear testing and military training installations, as well as hazardous materials and low-level nuclear waste disposal sites. The County has completed a disaster drill to establish a baseline understanding of the County emergency response plans and capabilities in light of the potential for high-level nuclear waste to be added to the mix of hazardous materials being transported through the County.

- **Comprehensive Review Completed of DOE's Life Cycle Cost Estimates in Light of Projected Contributions to the Nuclear Waste Fund.** Nye took on this "flow-of-funds" analysis in anticipation that the high-level radioactive waste management program would be reconfigured to add a storage capability and out of concern that sufficient funds be available for bringing the repository project to full completion, if Yucca Mountain were found to be suitable. The County has found reason to be concerned that there could be a shortfall between the waste management system cost requirements and the waste management program's revenue base. These concerns have been documented and were conveyed to the Secretary of Energy's Financial and Management Review Panel. We have also offered these concerns in our invited testimony to House and Senate authorizing committees.

The County's Nuclear Waste Project Office is also responsible for reviewing and commenting on the extensive documentation the Yucca Mountain Project and oversight agencies generate. The Office keeps our community informed and involved through local workshops, newsletters and press releases to local newspapers.

TUESDAY, MARCH 5, 1996.

INDIANA UNIVERSITY AT SOUTH BEND PROJECT; KOONTZ LAKE PROJECT

WITNESSES

HON. TIM ROEMER, A REPRESENTATIVE IN CONGRESS FROM THE STATEOF INDIANA

LES LAMON, Ph.D., CHANCELLOR, INDIANA UNIVERSITY AT SOUTH BEND

Mr. BEVILL. Next we have our good friend and colleague, Congressman Tim Roemer.

Tim, we may have another vote here, but I believe we will start here until they find out. This is the same vote, and we may have another. We will have to wait and see. You may proceed as you wish.

Mr. ROEMER. Thank you, Mr. Bevill.

And I anxiously await Chairman Myers coming back as well, too.

First of all, I just want to welcome my constituent, the Chancellor of Indiana University at South Bend, Dr. Les Lamon, who will be testifying with me.

Mr. BEVILL. We are pleased to have you with us.

Mr. LAMON. Very pleased to be here. Thank you.

Mr. ROEMER. And his participation in this hearing this afternoon shows not only IUSB's strong commitment to this project but the importance of this project to the entire community, to the educational community, the business community and the environmental community.

I want to thank you, Mr. Bevill and Mr. Myers and the staff on this committee on the bipartisan way that you have approached helping us in the past. We have had support for both of the projects that I will ask continued funding for, the Koontz Lake Project and the IUSB Project, and I very much appreciate your attention both to the substance of the request, as well as seeing constituents that come by from Indiana in your personal office, with your staff, and Mr. Myers and his staff doing the same thing. So thank you very much for your attention.

First of all, I want to talk very briefly.

Mr. Chairman, I want to ask unanimous consent that my entire statement be entered into the record.

Mr. BEVILL. Without objection, it is so ordered.

Mr. ROEMER. Thank you, Mr. Bevill.

First of all, I would like to start talking about the funding for Koontz Lake. This is a project, as I said before, that has been funded in the past by this committee. I would encourage continued funding for this project and ask for $3 million to complete work on the restoration of Koontz Lake. The Army Corps of Engineers has begun the process of restoring this lake. We have a number of noxious materials, sediment, aquatic growth, silt, and so forth, that that has really strangled the lake, the heart and soul of this lake.

This is a lake that when you talk to generations of Hoosiers going back decades, that they have wonderful stories about how this lake provided so many recreational opportunities and business opportunities for the surrounding community. Now, these are being strangled off by the growth of the silt and the sediment and the different noxious materials.

The Army Corps of Engineers has recommended a means by which to address this and clean this up. We hope that the committee will take a very careful look and acquiesce with the Corps and fund this project to restore this project for this community. It is so important for this local community to get this lake back so that they can continue to use this precious resource. So I would appreciate your careful attention to that first request.

Secondly, the request for approximately $7 million for Indiana University at South Bend that Dr. Lamon will testify on as well. Let me be brief so that we can have Dr. Lamon testify and explain some of the graphs to my right and your left, Mr. Bevill.

I think that this project is so important because Indiana University at South Bend is a university that serves the need of—a requirement in our community that is not being met by any other educational facility. It currently serves about 8,000 students. It is projected to serve probably over 10,000 students annually in the next 4 years. Most of these students are nontraditional students.

As we hear different talk about stagnating wages, about layoffs when people are 35 and 45 and 50 years old, IUSB is retraining many of these people, is preparing these people for the workplace. And this request will help this university continue to grow, continue to prosper, continue to meet a very, very extraordinarily important demand in our community and that is training our work force and educating our work force for the challenges of the next century.

You might ask, what does the Federal Government and this committee have to do with that? Well, you funded a plan by the Corps of Engineers that initially looked at a comprehensive river-front plan that integrates flood control, erosion control, bank stabilization and other measures to accommodate the necessary campus improvements that are taking place on the north and the south banks of the St. Joseph River.

This river separates right now these two vital components of Indiana University at South Bend. We need to abide by the Federal regulations that tell us what we need to do for floodplains, what we need to do to keep this a navigable river, what we need to do to keep it within the bounds of the regulations surrounding these kinds of projects that the Corps has already outlined to us, and now connect up parts of the academic community.

It is almost connecting up with a new artery, the brain of the institution, with the heart and soul of the institution, which is on the south side of the river bank and we must keep within the Federal guidelines in order to do that. And we must abide by the Corps of Engineers' study in order to do that and connect these two campuses with this new river-walk between the two universities.

So with that in mind, let me stress again, Mr. Bevill, and to Mr. Myers who is not here, the Chairman of the committee, thank you again for funding these projects in the past. We look forward to your careful consideration of them in the future. And whether it be a lake or a university, these two concerns are really at the—at the very crux of, I think, what is helpful for the Federal Government to provide some funding with a local match. We are getting local funds into these projects as well, too, to really help out in educational and business and recreational endeavors.

With that, let me introduce the Chancellor of the Indiana University at South Bend, Dr. Les Lamon.

[The statement of Mr. Roemer follows:]

Testimony of Rep. Tim Roemer

before the Subcommittee on

Energy and Water Development

Hon. John Myers, Chairman

Hon. Tom Bevill, Ranking Minority Member

March 5, 1996

Mr. Chairman, I want to thank you and Mr. Bevill, as well as the other members of this panel for the opportunity to be here before you today. I am here to seek funding for two projects that are important to Indiana, that will improve our quality of life and prove to be a very good investment in our infrastructure.

The first project that I would like to discuss is the expansion of Indiana University at South Bend. IUSB is a regional campus of Indiana University located along the north bank of the St. Joseph River, east of downtown South Bend. The campus serves the north central Indiana and south western Michigan community, commonly known and the Michiana region.

Student enrollment will exceed 12,000 by the turn of the century, and IUSB must expand to meet future needs. Our expansion plan necessitates moving across the river. The Fiscal Year 1994 Energy and Water Appropriations bill directed the Corps of Engineers to develop a comprehensive riverfront plan at IUSB integrating flood control, erosion control, bank stabilization and other necessary water resource measures with planned campus improvements. Under this authority, the 1994 Comprehensive Riverfront Master Plan was developed, melding the expansion with riverfront improvements. The centerpiece of this plan is the construction of a pedestrian bridge linking the north and south campus sites across the river, which will ensure that the campus proper and the southern expansion have the needed link to make it a contiguous entity.

The total funding we are seeking for the expansion project is just over $7 million ($7,018,544). A detailed budget summary for the two stages of the expansion project are attached. IUSB is prepared to provide a 20% match from university and local funding sources. Most of the elements for this project have been authorized or fall under standing authorization procedures. Funding would be used for completion of engineering and design phases, riverbank stabilization, campus expansion, power, lighting and construction.

I am also submitting two notebooks containing the detailed proposals for the two stages of the expansion for the committee records. Attached are photocopies of major design elements. This is a worthy project that is deserving of federal investment, and I sincerely hope that the subcommittee will give it every due consideration.

I am also requesting funding for one other project that this committee has funded in the past. Previously, this panel has funded $300,000 for the Army Corps of Engineers to begin restoration action at Koontz Lake, Indiana. This lake requires reduction of sediment and nutrient deposition due to eutrophication, and the Corps has been funded to conduct an investigation into the necessary plan of action. They would then pull together a physical plan, budget, determine a disposal site, and a prioritization.

The Chicago Corps Office has made assignments to this project pending authorization. The project was authorized in the House Water Resources and Development Act of 1994, although the Senate did not act on the bill. The Corps has reserved the funding pending authorization. The Transportation and Infrastructure Committee has assured me that the authorization will be included in the Water Resources Development Act currently underway.

At this point, I am requesting an additional $3 million for the Corps of Engineers to construct a project for restoration of Koontz Lake. Such project shall include the removal of silt, sediment, aquatic growth and other noxious materials from Koontz Lake and the Lawrence Pontius Ditch upstream of Koontz Lake, as well as construction of public access facilities and such other measures as the Secretary determines to be necessary to prevent or abate the deposit of sediment in Koontz Lake. The non-Federal share of this project will be 25% of total project cost.

Such projects are frequently carried out by the Corps of Engineers, and I hope that the committee will also give its consideration to this request. It is my expectation that this project, in its entirety, will be fully authorized.

Mr. Chairman, I would again like to thank you for your indulgence in allowing us to appear before you today, and I want to express my appreciation to the Ranking Member, Mr. Bevill, for his time and attention to these requests. I am thankful to the entire panel and the staff for the time and energy involved in these discussions, and the important work you are doing during these difficult budgetary times.

ESTIMATE OF PROBABLE COSTS
D.O. #1 - CAMPUS EXPANSION AND RIVER RELATED ELEMENTS
January 18, 1996

CONSTRUCTION COSTS	
Riverbank Stabilization	$150,879
Campus Expansion Site	1,037,250
Multi-Use Trail	113,948
Site Power and Lighting	442,955
Subtotal	$1,745,032
Plus 20% Project Contingency	349,006
Total Estimated Construction Cost	$2,094,038
Inflationary Cost Adjustment at 5% per year through 1998	$330,073
Adjusted Total Estimated Construction Cost	$2,424,111
DESIGN AND CONSTRUCTION MANAGEMENT	
A/E design fees for the above site features; survey; geotechnical investigation; and Archaeological investigation	$172,202
Construction administration and management fees, and Government administration costs during construction and permitting	$242,411
D.O. #1 - Campus Expansion and River Related Elements Total Project Cost	$2,838,724

ESTIMATE OF PROBABLE COSTS
D.O. #2 - PEDESTRIAN BRIDGE AND RELATED ELEMENTS
January 18, 1996

CONSTRUCTION COSTS

Bridge - Main Spans	$480,000
- Approach Spans	660,000
- Structure Cover	550,000
- Lighting	100,000
North Terminus of the Bridge	
- Plaza Modifications	65,000
- Accessible Route and Circulation Improvements	150,000
Shower/Locker Building	400,000
South Pedestrian Plaza	100,000
Subtotal	$2,505,000
Plus 20% Project Contingency	501,000
Total Estimated Construction Cost	$3,006,000
Inflationary Cost Adjustment at 5% per year through 1998	$473,820
Adjusted Total Estimated Construction Cost	$3,479,820

DESIGN AND CONSTRUCTION MANAGEMENT

A/E design fees for building, site and bridge; survey; geotechnical investigation; permitting; Government administration and other miscellaneous fees	$350,000
Construction Administration and Management fees, and Government administration costs during construction	$350,000
D.O. #2 - Pedestrian Bridge and Related Elements Total Project Cost	$4,179,820

Mr. BEVILL. All right.

Let me ask you, this study is under way now, isn't it?

Mr. ROEMER. The study is done.

Mr. BEVILL. Are you needing additional money for the study, is that it?

I mean, what is the next request?

Mr. ROEMER. The next step is to actually implement what the study has recommended.

Mr. BEVILL. I see. All right.

Now, you know, you are allotted 5 minutes and you have taken 8. This gets us behind. We do try to stay on time but certainly we want to accommodate you.

And, Doctor, if you will just summarize your statement for us, please.

Mr. LAMON. Yes.

Mr. Chairman, I want to thank you and Mr. Myers, as well and other Members of the committee, for consideration of this project. The St. Joseph River runs right through the campus of Indiana University at South Bend. All the development has been on the north side. The south side development plan is for the student life activities of a campus, as Representative Roemer has said, of 8,000 students.

The St. Joseph River is also central and has been central to the life of northern Indiana, central to life for well over 175 years. It still is central to the life of northern Indiana.

This project first and foremost, I believe, preserves the river and it preserves this great natural resource and does so by strengthening two human resources: Indiana University and the City of South Bend, because another partner in this project is the City of South Bend. The matching funds will come from Indiana University and from the city. The river-front project essentially then will allow us to complete the development plan for the campus.

The heart of this plan is a pedestrian bridge. That accounts for a fair amount of the cost to the project, and if we are to do that in a way that abides by the flood control regulations, the bank stabilization and erosion control that the Army Corps of Engineers has recommended, it takes a sizeable bridge to accomplish that. So as we begin the 21st Century, I think you find this river, this university, this city, combining to offer expanded opportunities, educational opportunities, as well as recreational opportunities, to the citizens of our region.

I appreciate this opportunity to address you and for—I am very appreciative of your consideration of the project.

Thank you.

Mr. BEVILL. Thank you very much.

And I know that Chairman Myers will be sorry he missed you but he had to be—he is very interested in this, of course. And we will—this entire committee will be working with you, Tim, to do the best we can to accommodate you.

Mr. ROEMER. Thank you. You can see why he is the chancellor.

Mr. BEVILL. Yes.

Mr. ROEMER. He did a better job in 2 minutes than I did in my 8 minutes.

Mr. BEVILL. That was noted by the chairman.

Mr. ROEMER. Thank you.

Mr. BEVILL. Thank you very much. We will work with you.

Mr. LAMON. Thank you, Mr. Bevill.

[The statement of Mr. Lamon follows:]

Testimony before the
Subcommittee on Energy and Water Development

Lester C. Lamon, Ph.D.
Acting Chancellor
Indiana University South Bend

March 5, 1996

Mr. Chairman, I want to thank you and the ranking member, Mr. Bevill, for the opportunity to testify before the committee about the importance of implementing elements of the St. Joseph River Comprehensive Riverfront Master Plan for Indiana University South Bend. As noted in the planning and design studies already completed by the Army Corps of Engineers, the enhancement of the river corridor through this project will enrich both the University and the community.

Indiana University South Bend is a comprehensive public university serving the citizens of North-Central Indiana. Its roots are in early Indiana University extension courses which were offered in the South Bend area during the 1920s. It has grown over the years to meet steadily increasing community demands for greater access to higher education. The first campus building was dedicated in 1961 on a 4.5 acre site on the North bank of the St. Joseph River. The campus awarded its first bachelor's degrees in 1967. Today it offers a comprehensive array of 100 academic programs through the masters level. That small 4.5 acre building lot has grown to a 70-acre campus which spans the river. Over 10,000 students are served each year by IUSB, and our 18,000 alumni provide leadership to their professions and communities throughout the United States.

While the campus has developed an excellent faculty and instructional facilities, it lacks facilities for student life and recreation, and therefore the ability to offer our students a complete university experience. As a result, we find that while we are able to attract students to the campus, the lack of this important part of a university experience causes them to leave the campus before completing their academic programs. The completion of this project will significantly enhance our ability to encourage students to remain at the university until graduation.

Another important element of a university experience - especially for that portion of our student body which comes to us in the traditional manner, directly from high school - is the opportunity to live on the campus. The completion of the pedestrian bridge element will make it possible and feasible for us to move our student housing plans forward into concrete programs. As with the recreation fields, this will also significantly enhance our ability to encourage students to persist to graduation.

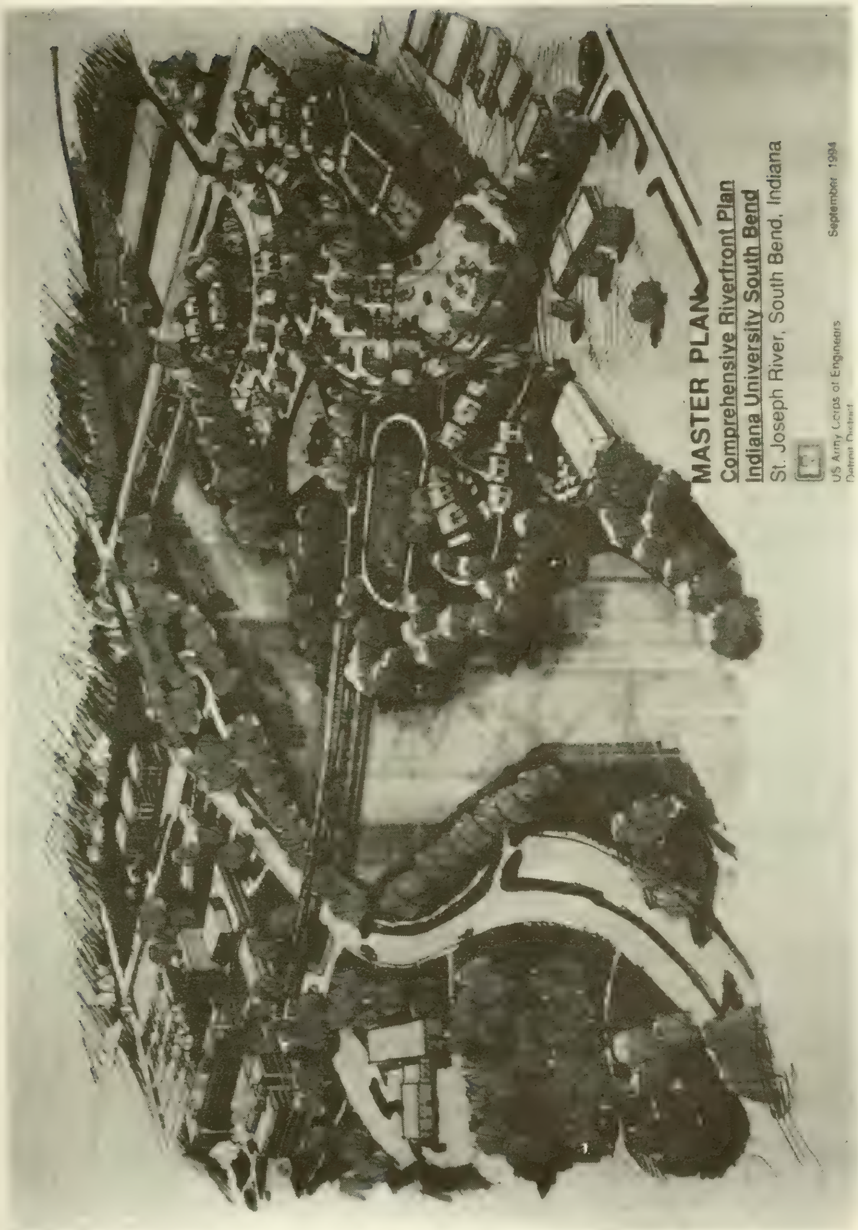
This project includes stabilization of the riverbank as it passes through the campus and the re-introduction of natural flora along this portion of the riverbank. These activities will have an added bonus of providing additional study opportunities for our students in biology, botany, and environmental studies.

This project is also one which involves a number of cooperative partnerships. The completion of the multi-use trail and playing fields will enhance the recreational opportunities for all of the region's citizens. We have already reached agreements with the City of South Bend to make these facilities available for community use whenever they are not in use by the university. This will be of particular benefit to the many summer recreation programs offered by the Parks and Recreation Department. The multi-use trail will eventually connect with other city parks to provide a significant walkway along the riverbank through most of the city of South Bend.

In the findings of its planning study, the Army Corps of Engineers noted that in addition to the erosion control and riverbank stabilization benefits of this project, "Enhancement to portions of both banks of the river, the construction of the multi-use trail for pedestrians and bicyclists, together with the development of the recreational facilities will provide enhancement to the existing river corridor, and create new recreational opportunities for the university and the community."

IUSB and Indiana University have concluded a partnership agreement to provide up to 20% of the funding required to support this project. I encourage and invite you to join with us in this opportunity to enhance the educational opportunities and the quality of life for the students of Indiana University South Bend and for the citizens of the Michiana region.

With the transition of the waterfront to a recreation and housing area, Indiana University South Bend will become the caretaker of the community's most historic resource: the delicate waterfront ecosystem will be maintained, while the students and community will have use and enjoyment of these natural resources without depleting them. Mr. Chairman, I want to thank you and the ranking member, Mr. Bevill, and the members of the committee for this opportunity to address you on this issue of importance to our community.


MASTER PLAN
Comprehensive Riverfront Plan
Indiana University South Bend
St. Joseph River, South Bend, Indiana
US Army Corps of Engineers
Detroit District
September 1984

TUESDAY, MARCH 5, 1996.

WATERSHED MANAGEMENT PLAN FOR THE ELIZABETH RIVER

WITNESSES

HON. NORMAN SISISKY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF VIRGINIA

REAR ADM. RAYMOND MOSES (RETIRED), CHAIRMAN, ELIZABETH RIVER PROJECT

CAPT. CARL FISHER, MEMBER, ELIZABETH RIVER PROJECT

Mr. BEVILL. Next we have our good friend and colleague Congressman Sisisky, who has come in here. Norm, we would be glad to hear from you. Sorry I missed you earlier in the day.

Mr. SISISKY. I am sorry you did, too. I had a good story.

Mr. BEVILL. I know you always do so well. I am sorry I missed it.

Mr. SISISKY. I am delighted to be here, Mr. Chairman, and have the opportunity to testify.

I want to talk about the Elizabeth River Project. It is an unique grass-roots effort made up of people who want to make a difference.

Mr. BEVILL. Is that close to Petersburg?

Mr. SISISKY. About 100 miles. He was stationed at Fort Lee in World War II—or was it World War I?

Mr. BEVILL. We have to talk about Petersburg a good bit.

Mr. SISISKY. I have another problem there that you can't believe.

The Elizabeth River Project started with business people, students, scientists, elected officials and more. It started with a few people who were worried about the future of the Elizabeth River. Now the hard work of the Elizabeth River Project has been endorsed by the four cities served by the river, Chesapeake, Portsmouth, Virginia Beach and Norfolk, as well as the Governor and Legislature of Virginia.

It is a remarkable prototype that other communities who want to find solutions to environmental problems can follow. The Elizabeth River Project now includes some 120 members of the watershed action team.

Mr. Chairman, if you were to go to Norfolk or Portsmouth, which borders on the river and the other cities, and you look out of a hotel room, you wouldn't believe what is on that river, the industry, starting with the Norfolk Naval Shipyard, which I represent, and, of course, the largest concentration of Navy in the whole world in the Norfolk Naval base. We dirtied the river for years, ship cleaning, sanding, everything imaginable. And now we want to clean it up. It goes through the beautiful restored downtown area of Portsmouth and Norfolk, and cuts around into the Atlantic Ocean at the Naval base.

So with that, let me let you listen to Representatives who know about the Project. Raymond Moses and Carl Fisher are here to talk about it with your permission, and I didn't take 8 minutes.

[The statement of Mr. Sisisky follows:]

Testimony of Congressman Norman Sisisky
House Appropriations Subcommittee on Energy and Water
March 5, 1996
2362 HROB

Thank you Chairman Myers for this opportunity to present testimony before the subcommittee.

The Elizabeth River Project is a unique grass roots effort made up of people who want to make a difference --- Business people, students, scientists, elected officials, and more.

It started with a few people who were worried about the future of the Elizabeth River.

Now, the hard work of the Elizabeth River Project has been endorsed by the four cities served by the river-- Chesapeake, Portsmouth, Virginia Beach, and Norfolk -- as well as the Governor.

It is a remarkable prototype for other communities who want to find solutions to the environmental problems they face.

The Elizabeth River Project now includes some 120 members of a Watershed Action Team.

I am very pleased to be joined today by two members of that team; Admiral Raymond Moses, and Captain Carl Fisher.

And I would like to turn to them now for their testimony on this important project.

A Clipping From
Virginia Press Services
News Clipping Bureau
P.O. Box 85613
Richmond, VA 23285-5613

The Chesapeake Post
Chesapeake, Va
C4,499

Date FEB 0 2 1996

Letter to the editor

Mother Earth — and Congressman Sisisky — offer their thanks

Editor:

Recently, I've read newspaper articles commending the members of the Elizabeth River Project for their efforts to restore the environmental health of the Elizabeth River. I'm glad to see the Elizabeth River Project receiving the attention and praise it deserves.

The Elizabeth River Project grew out of meetings between a few local residents four years ago. Those initial members enlisted community leaders and many others — from environmental groups to shipyards to the local universities — to study the environmental risks facing the river and devise ways to address the problem. From its inception as a grass roots organization of just four members, the Elizabeth River Project now includes a 120-member Watershed Action Team representing citizen groups, business, government and science.

It should serve as a prototype for other communities trying to find answers to complex problems and to build a consensus around solutions. It's not often that so many diverse interests, in this case residents of four different cities, can unite behind a common goal. The people of Chesapeake, Norfolk, Portsmouth and Virginia Beach realize what an important economic artery the Elizabeth River has become. Our area's future — sink or swim— depends on maintaining the viability of this and all our waterways.

I'm proud to be a part of the Elizabeth River clean up effort. A good friend of mine, Roland Culpepper of Chesapeake, first brought it to my attention a few years ago. Roland is a civilian employee of the Army Corps of Engineers for the Norfolk District. I've found his diligence on behalf of the Hampton Roads community typical of the civil servants who live and work in our area.

As a result of those early discussions, I worked closely with the U.S. Army Corps of Engineers to have Congress authorize the funds necessary to perform an environmental study. Last fall, I was able to secure funding for the project through the Transportation and Infrastructure Committee in the House of Representatives. Those funds will enable the Army Corps of Engineers to build on the good work the Elizabeth River Project's team has already done. I intend to continue my work with the project as a member of the Leadership Review Board.

Improving our water quality today is especially important considering the expansion this area is projected to undergo in the future. Hampton Roads is already the fastest growing part of the state. The city of Suffolk is projected to be the next sector to expand. That's why when the Army Corps of Engineers came to me for help on another project; one to improve the Nansemond River Basin in Suffolk, I was glad to respond.

The Nansemond project will provide a comprehensive watershed planning and management plan for the Nansemond River Basin. From this study, the Army Corps hopes to find answers to the interrelated problems of water conservation, water control, water resources development, wetland protection and environmental restoration. It's another step toward improving our waterways throughout Hampton Roads and planning together for the future of our area.

Thanks to the Navy and the Virginia Port Authority, Hampton Roads is a major metropolitan area and one of the most active ports on the East Coast. Preserving and improving our waterways helps the value of our real estate and redevelopment efforts, and recognizes the long-term economic, recreational, health and safety needs of this growing area. I am glad to be of assistance in these worthwhile endeavors, and my door remains open to tall those with ideas that will benefit the quality of life of our families.

Norman Sisisky
Member of Congress
4th District

Mr. BEVILL. We would be glad to hear from you, both of you.

Mr. MOSES. Mr. Bevill, I am sure you will give my regards to Chairman Myers and other honored members of the subcommittee, and Congressman Sisisky for coming in to introduce us.

I appreciate this opportunity to speak in support of the Elizabeth River Basin Environmental Restoration Reconnaissance Study. That's quite a mouthful. Let me assure you that the goals of the Elizabeth River project are very similar to the goals in the Corps of Engineers' study, and I will give you just a little bit more background than Congressman Sisisky did on the Elizabeth River project.

He mentioned that the four cities are cooperating, which is a rarity, I think. There are about 350 miles of shoreline and a network of dredge channels. We have been using this river for industrial purposes for about 300 years. Unfortunately, it does need help. It is under stress and it is one of three hot spots for pollution in the entire Chesapeake Bay watershed. Helping restore this asset and heightening the appreciation of the river will give new life to both Norfolk and Portsmouth, and I am extremely proud to represent the Elizabeth River project.

It is a volunteer organization. It is a grass-roots, nonprofit organization; and it is a product of a small group of people getting together, first in 1991, to talk about improving the river, and we were incorporated in 1993.

There are two words to remember: broad representation and consensus. We are trying to do this by getting everyone concerned together so that when we start to work we won't have any snags.

The results of these people getting together and the results of a comparative risk study recorded the broad-based concern about the river and appreciation for its economic, ecological and recreational value. We assembled the people that Congressman Sisisky mentioned, representatives of civic leagues, shipyards, watermen, colleges, universities, environmental groups, city, State and Federal agencies, engineering firms and marine science agencies; and we probably missed somebody. This past weekend, actually the end of last week, Thursday and Friday, they just finished a reached consensus of a final draft on a plan to implement to improve the river.

The team represented the greatest diversity yet in the Elizabeth River project's efforts, and we continued the principle of including citizens, business, academia and government agencies in the process. Prior to this final draft, about a thousand interested parties got copies or summaries—or a copy of a summary of these recommendations and were asked to comment, and a large number of them did.

We have recruited a leadership review board, a list of which is attached to the document that we are putting in for the record, and these people represent the highest level of authority, knowledge and influence on river issues and we are going to take our implementation plan by them to be sure that we have everyone's concurrence. The proposed Corps of Engineers Elizabeth River Reconnaissance Study is a key element to this restoration because we need to know what is there before we can know how to fix it.

The Elizabeth River project's work has been made possible with grants from EPA, from the Virginia State government, by contract, the Virginia Environmental Endowment, as well as other funds from public and private sources and a membership program.

This common-interest and local support is fully evident in the written commitment of the Commonwealth of Virginia, cities of Chesapeake, Norfolk, Portsmouth, and Virginia Beach, which is attached. They are sponsoring the Corps of Engineers Elizabeth River study; I have copies of these attached. Also enclosed with my written statement are copies of recent news articles, an editorial in the paper and others which underline the visibility and community support for this effort.

I am not here to boast about what we have done so far, but to emphasize how far we have to go. Identifying what needs to be done is just the first step in the journey. We must continue with momentum, embraced by so many at all levels of industry, government, environment, and just everyday taxpaying citizens. The Corps of Engineers must proceed with its reconnaissance study of the Elizabeth River.

The Hampton Roads community requests that Congress appropriate funds for the 1997 budget, building on the foundation laid by the Elizabeth River project. Funding for this restoration study is not a Corps project; instead, it is an investment in the economic and environmental health of a region which has demonstrated its commitment to restoring the river in partnership with a port and the Nation that it has served for 300 years.

Again, I authorize—I urge you to appropriate funding for this critical and timely study. Thank you.

[The statement of Mr. Moses follows:]

Presentation to
House Subcommittee on Energy and Water Development
House Committee on Appropriations

March 5, 1996

Ray E. Moses, Rear Admiral NOAA (retired)
Chairman, Elizabeth River Project

Good afternoon Chairman Myers, other honored members of this subcommittee, and Congressman Sisisky. I appreciate this opportunity to appear before you and speak in support of the Elizabeth River Basin Environmental Restoration Reconnaissance Study. Let me assure you that the goals of the Elizabeth River Project are very similar to those of the corps and there is broad based community support for the types of actions that could come from this study.

But first, allow me to give you a brief background on why I'm here and who I represent.

The Elizabeth River is a tributary to the Chesapeake Bay, and portions of the cities of Chesapeake, Norfolk, Portsmouth, and Virginia Beach lie within its watershed. There are about 350 miles of shoreline and a network of dredged channels is maintained throughout. The Elizabeth River, with its natural depths and protected inlets, sustains the second largest port on the East Coast and supports activities ranging from waterborne commerce, shipyards and naval facilities to recreation, some fishing and crabbing. The River is home to the world's largest Naval Base and the world's oldest and largest naval shipyard.

Unfortunately, the river itself also desperately needs sustaining restoration. Under stress from these many demands, the Elizabeth is one of the three most highly polluted bodies of water in the entire Chesapeake Bay watershed. A variety of fish live in the Elizabeth and its branches. But many are deformed or adversely afflicted because of the toxins in the waterway and its sediment.

Helping restore this national asset and heightening appreciation of the waterway's positive roles constitute the mission of the Elizabeth River Project, an organization I'm extremely proud to represent as chairman. This grassroots, non-profit organization was the product of a small group who got together in November 1991 to talk about cleaning up the river.

Aided by private-sector seed grants totaling less than $2,000, the project's founders asked 65 community leaders in 1992 about their thoughts on the plight of the Elizabeth, the importance of the river to Hampton Roads and the economic, esthetic and environmental gains that could be expected from a cleaner waterway.

The survey recorded enough broad-based concern about the river and appreciation for its economic, ecological and recreational value to transform the Elizabeth River Project from concept to reality. The project then assembled more than 200 men and women -- representing civic leagues, shipyards, watermen, colleges and universities, environmental groups, city, state and federal agencies, engineering firms, and marine science agencies--who just this past weekend finished the final draft of a comprehensive plan for environmental restoration in the Elizabeth River watershed.

This Watershed Action Team was organized into work groups focusing on the identified high risk problems along the river: loss of habitat and wildlife, sedimentation and sediment contamination, water quality, and toxics reduction. This Team's membership represented the greatest diversity yet of the Elizabeth River Project's efforts, continuing the principle to include citizens, business interests, academia, and governmental agencies in the process.

Furthermore, prior to the final review, about 1,000 interested parties received a summary of the plan and were asked to comment on the acceptability of the proposed actions. In addition, leaders representing the highest levels of authority, knowledge and influence on river issues were recruited to serve on a Leadership Review Board and provide feedback. I have attached a list of the Board members.

The Elizabeth River Project is now developing an implementation strategy to accomplish the actions proposed in this plan. The proposed Corps of Engineers Elizabeth River Basin Environmental Restoration Reconnaissance Study is a key element of our implementation strategy. The

Corps' environmental mission and their specific authorities to identify and implement environmental restoration offers a great opportunity for implementing the action proposed in our Watershed Action Plan.

The Elizabeth River Project's work has been made possible with grants from the Environmental Protection Agency, Virginia state government and the Virginia Environmental Endowment, as well as funds from other public and private sources.

This common interest and local support are further evident in the written commitment of the Commonwealth of Virginia and the cities of Chesapeake, Norfolk, Portsmouth, and Virginia Beach to sponsor the Corps' Elizabeth River Restoration Study and be future partners in a follow-up feasibility study and implementation of approved projects. I have attached copies of these letters of endorsement for your review. Also enclosed with my written statement are copies of recent news articles which underline the visibility and community support for this effort.

I'm not here to boast of what we've done so far, but to emphasize how far we have to go. Identifying what needs to be done is just the first step in this journey. We must continue with the momentum embraced by so many at all levels of industry, government, environment and just everyday, tax-paying citizens. The Corps of Engineers must proceed with its reconnaissance study of Elizabeth River restoration. The Hampton Roads Community requests that Congress appropriate funds for the 1997 budget, building on the foundation laid by the Elizabeth River Project.

Through participation on various task forces, the Corps has been a partner in the Elizabeth River Project for some time now. From their interaction and input, we expect the findings of their initial Reconnaissance Study will confirm those of the Elizabeth River Project, and capitalize on many actions already identified to restore this valuable asset to the Hampton Roads area and the Nation.

Funding for this restoration study is not pork. Instead it will be an investment in the economic and environmental health of a region which has demonstrated its commitment to restoring the river in partnership with the port and the nation it has served for 300 years. Again I urge you to authorize funding for this critical, timely study.

Thank you.

Leadership Review Board Members

As of February 26, 1996

Additional leadership representatives have accepted membership on the Review Board of the Elizabeth River Project since the questionnaire was mailed. The up-to-date membership:

William Baker, President, Chesapeake Bay Foundation
Dr. Donald F. Boesch, President, Alliance for the Chesapeake Bay
James R. Borberg, General Manager, Hampton Roads Sanitation District
Admiral Robert S. Cole, Commander, Norfolk Naval Base
Clarence V. Cuffee, Interim City Manager, City of Chesapeake
Honorable Becky Norton Dunlop, Secretary of Natural Resources, Commonwealth of Virginia
Honorable Mark L. Earley, Virginia State Senate
Rear Admiral William J. Ecker, Commander, 5th District Coast Guard
Honorable Paul D. Fraim, Mayor, City of Norfolk
George C. Garris, Jr., President, Hampton Roads Maritime Association
James J. Gildea, Planning Director, City of Portsmouth
M. Elizabeth Gillelan, Chief, NOAA - Chesapeake Bay Office
John A. Hornbeck, President, Hampton Roads Chamber of Commerce
Honorable Jerrauld C. Jones, Virginia House of Delegates
Dr. James V. Koch, President, Old Dominion University
Linda R. Kolodziej, President, Virginia Audubon Council
Dr. Alan Krasnoff, Chairman, Hampton Roads Planning District Commission
William Matuszeski, Director, Chesapeake Bay Program
Honorable Thomas W. Moss, Speaker of the House, Virginia House of Delegates
Honorable Meyera E. Obendorf, Mayor, City of Virginia Beach
Honorable Owen B. Pickett, US House of Representatives
William Pruitt, Commissioner, Virginia Marine Resources Commission
Colonel Robert H. Reardon, Jr., District Engineer, US Army Corps of Engineers
Honorable Charles S. Robb, United States Senate
John L. Roper III, President, South Tidewater Association of Ship Repairers
Honorable Norman Sisisky, United States House of Representatives
Honorable Frank W. Wagner, Virginia House of Delegates
Honorable Stanley C. Walker, President pro tempore, Senate of Virginia
Honorable John Warner, United States Senate
Honorable Gloria O. Webb, Mayor, City of Portsmouth
Dr. Harrison B. Wilson, President, Norfolk State University
Dr. L.D. Wright, Acting Dean and Director, Virginia Institute of Marine Science

Charter Organizational Members 1996

Area Container Service
Atlantic Energy
Ballard Fish & Oyster Co.
Cape Henry Audubon Society
Cargill Inc.
Center for Innovative Technology
Chesapeake Bay Foundation
City of Norfolk, Dept. of Public Works
City of Norfolk, Utilities Dept.
City of Virginia Beach
Colonna's Shipyard, Inc.
Cogentrix
Commonwealth Atlantic, L.P.
DESMI, Inc.
Hampton Roads Sanitation District
Huntsman Chemical Corp.
Jacobson Metal Co.
Jalbert & Associates, Inc.
NAACP, Portsmouth Branch
Nautical Adventures, Inc.
Norfolk Environmental Commission
Norfolk Shipbuilding & Drydock Corp. (NORSHIPCO)
Tarmac America, Inc.
The Students of W.H. Taylor Elementary School
United Winner Metals, Inc.
URS Consultants
Virginia Port Authority
Virginia Pilot Association
Virginia Power
Woolpert Consultants

COMMONWEALTH *of* VIRGINIA

Office of the Governor

George Allen
Governor

Becky Norton Dunlop
Secretary of Natural Resources

June 19, 1995

Colonel Andrew M. Perkins, Jr.
District Engineer
Norfolk District Corps of Engineers
803 Front Street
Norfolk, Virginia 23510

Dear Colonel Perkins:

The Commonwealth of Virginia wishes to express its strong support for initiating a reconnaissance study of the Elizabeth River Basin. We understand that the reconnaissance study will focus on the need for environmental and other interrelated activities important to improve the condition of the Elizabeth River, including restoration of environmental qualities. The Elizabeth River is the dominant natural feature of central Hampton Roads. During centuries of heavy use the river has become seriously degraded. However, the river is far from dead and remains a functioning tributary of the Chesapeake Bay. The Elizabeth River's deep waters remain the economic lifeblood of the region and provide spawning grounds for fish, habitat for rare and endangered species, and mudflats for a million dollar crab harvest.

We understand the two phase planning process required as a result of the provisions of the Water Resources Development Act of 1986, as amended, and we would be willing to consider sharing in the cost of a feasibility study, depending on the results of the Federally funded reconnaissance investigation. After the reconnaissance study is completed, and if the Commonwealth is interested in pursuing follow-up studies, we would be willing to consider providing all of the requirements for local cooperation, including the cash contribution, as outlined in the Water Resources Development Act of 1986, as amended, prior to the implementation of a Federal improvement in the Elizabeth River Basin. I am also contacting the mayors of the cities of Portsmouth, Chesapeake, Norfolk, and Virginia Beach and encouraging them to become co-sponsors with the Commonwealth in supporting these efforts.

P.O. Box 1475 • Richmond, Virginia 23212 • (804) 786-0044 • TDD (804) 786-7765

Colonel Andrew M. Perkins, Jr.
June 19, 1995
Page Two

Thank you for your involvement in and commitment to the Commonwealth of Virginia and the Elizabeth River Basin. We are hopeful that the Elizabeth River Basin will be selected for study and we look forward to working with you on this project. Please call me if we can be of further assistance in providing support for this study.

Sincerely,

Becky Norton Dunlop

Becky Norton Dunlop

BND/j

COMMONWEALTH of VIRGINIA

Office of the Governor

George Allen
Governor

Becky Norton Dunlop
Secretary of Natural Resources

June 26, 1995

The Honorable William E. Ward
Mayor, City of Chesapeake
Post Office Box 15225
Chesapeake, Virginia 23328

(Similar letters were sent to mayors of Norfolk, Portsmouth, and Virginia Beach)

Dear Mayor Ward:

The Commonwealth of Virginia has strongly endorsed the initiation of a Corps of Engineers reconnaissance study of the Elizabeth River Basin. The reconnaissance study will focus on the need for environmental and other interrelated activities required to clean up the Elizabeth River, including the protection and restoration of environmental qualities. The Elizabeth River stands out as the dominant natural feature of central Hampton Roads and the city of Chesapeake. During centuries of heavy use, the river has become degraded. However, the river is far from dead and remains a functioning tributary of the Chesapeake Bay. The Elizabeth River's deep waters remain the economic lifeblood of the region and provide spawning grounds for fish, habitat for rare and endangered species, and mudflats for a million dollar crab harvest.

If approved by Congress, the Corps study will be carried out as a two phase planning process under the provisions of the Water Resources Development Act of 1986, as amended. The first phase reconnaissance study is 100% federally funded. During this phase, problems and needs of the Elizabeth River Basin will be defined and potential solutions will be identified. Based upon the reconnaissance, the federal government and non-federal sponsors jointly decide whether a full feasibility study, the second phase, is warranted. The Corps and the non-federal sponsors must agree to share equally in the cost of the feasibility phase.

P.O. Box 1475 · Richmond, Virginia 23212 · (804) 786-0044 · TDD (804) 786-7765

I am writing to you and the mayors of Norfolk, Portsmouth, and Virginia Beach to encourage you to become a co-sponsor with the Commonwealth in supporting the reconnaissance efforts and, depending on the potential solutions identified, the next phase of feasibility investigations. We all have a vested interest in restoring the Elizabeth River system to the highest level of environmental quality, and it is anticipated that these investigations will bring us closer to providing practical solutions.

The problems and needs in the Elizabeth River Basin were not generated by any one entity. In the same regard, restoring the Elizabeth cannot be accomplished without a cooperative and cost-effective effort. Your city becoming a partner with the Commonwealth in support of the Corps initiatives is needed and appreciated.

Sincerely,

Becky Norton Dunlop

Becky Norton Dunlop

BND/j

Chesapeake
VIRGINIA

City of Chesapeake

Office of the City Manager
Post Office Box 15225
Chesapeake, Virginia 23328-5225
(804) 547-6166

November 15, 1995

The Honorable Becky Norton Dunlop
Secretary of Natural Resources
Office of the Governor
Commonwealth of Virginia
P.O. Box 1475
Richmond, Virginia 23212

Dear Secretary Dunlop:

The City of Chesapeake wishes to express its strong support for the Corps of Engineers initiating a reconnaissance study of the Elizabeth River Basin. We understand that the reconnaissance study will focus on the need for environmental and other interrelated activities important to improve the condition of the Elizabeth River, including restoration qualities.

We understand the Corps two phase planning process required under the provisions of the Water Resources Development Act of 1986, as amended, and other Corps policy. After the Federally funded reconnaissance investigation is completed, and if the City of Chesapeake determines that it is interested in pursuing follow-up studies, we would be willing to consider sharing in the cost of the second phase, the feasibility study. In addition, prior to implementation of a Federal improvement in the Elizabeth River Basin, we would be willing to consider providing all of the requirements for local cooperation, including cash contribution at the time of construction in accordance with Federal law and current Corps policy.

Sincerely,

C.V. Cuffee, III

Clarence V. Cuffee
Interim City Manager

CVC/knh

c: Colonel Robert H. Reardon, Jr.

"The City of Chesapeake adheres to the principles of equal employment opportunity. This policy extends to all programs and services supported by the City."

City of Norfolk
Virginia

Paul D. Fraim
Mayor

1109 City Hall Building
Norfolk, Virginia 23510

November 27, 1995

Honorable Becky Norton Dunlop
Secretary of Natural Resources
Office of the Governor
Commonwealth of Virginia
P. O. Box 1475
Richmond, VA 23212

Dear Secretary Dunlop:

The City of Norfolk wishes to express strong support for the proposed Corps of Engineers reconnaissance study of the Elizabeth River basin. This study would focus on the need for environmental and other related activities required to clean up the Elizabeth River. The Elizabeth River is a vital economic and environmental asset to the region that is clearly deserving of the protection and restoration projects that could result from this initial study.

The City understands the two phase planning process required under the provisions of the Water Resources Development Act of 1986, as amended, and other Corps policy. After the Federally funded reconnaissance investigation is completed, and if the City determines that it is interested in pursuing follow-up studies, we would be willing to consider sharing in the cost of the second phase of the study. In addition, we understand the requirements for local cooperation and cost share participation in construction projects and would be willing to consider participation in these projects at the appropriate time during the study phase.

We look forward to working closely with the Corps and the State throughout this process. Please let me know if we can be of further assistance in ensuring that this important project moves forward.

Sincerely,

Paul Fraim
Mayor

cc: Colonel Robert H. Reardon, Jr.
Norfolk District Corps of Engineers

City of Portsmouth, Virginia
Office of the City Clerk
P. O. Box 820
Established 1752 Portsmouth, Virginia 23705-0820 (804) 393-8639

November 16, 1995

TO: Marilee Hawkins, Director of Environmental Services

SUBJECT: TRANSMITTAL

At the November 14, 1995 meeting of City Council, the attached document was adopted by City Council.

Document No.	Ordinance	Resolution
84		X

Debra Y. White

Debra Y. White
Chief Deputy City Clerk

A RESOLUTION EXPRESSING SUPPORT FOR A PROPOSED RECONNAISSANCE STUDY BY THE CORPS OF ENGINEERS OF ENVIRONMENTAL CONDITIONS IN THE ELIZABETH RIVER.

WHEREAS, the Corps of Engineers has proposed to fund and the Commonwealth of Virginia has endorsed Phase One of a reconnaissance study of the environmental conditions in the Elizabeth River; and

WHEREAS, the proposed study will focus on the identification of environmental and other interrelated activities needed to improve the condition of the Elizabeth River; and

WHEREAS, the Elizabeth River is an important economic and recreational asset, not just to the City of Portsmouth, but to the entire Hampton Roads region.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Portsmouth, Virginia, hereby expresses its strong support for the goals of the proposed study and for Phase One, in particular.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to forward copies of this Resolution to the Corps of Engineers and to the Secretary of Natural Resources for the Commonwealth of Virginia.

Adopted by the Council of the City of Portsmouth, Virginia, at a meeting held on November 14, 1995.

Teste:

City Clerk

City of Virginia Beach

OFFICE OF THE CITY MANAGER
(804) 427-4242
FAX (804) 427-4135

MUNICIPAL CENTER
VIRGINIA BEACH VIRGINIA 23456-9001

December 12, 1995

The Honorable Becky Norton Dunlop
Secretary of Natural Resources
Office of the Governor
Commonwealth of Virginia
Post Office Box 1475
Richmond, Virginia 23212

Dear Secretary Dunlop:

The City of Virginia Beach wishes to express its strong support for the U. S. Army Corps of Engineers initiating a reconnaissance study of the Elizabeth River Basin, and our desire to be a co-sponsor of this effort with the Commonwealth and our neighboring cities of Chesapeake, Norfolk, and Portsmouth. We understand that the reconnaissance study will focus on the need for environmental and other interrelated activities required to assist in the clean up of this vital international, national, state, and regional waterway, including restoration of its environmental resources which are critical to improve the overall condition of the Elizabeth River.

Should this study be approved by Congress, we understand the Corps two phase planning process required under the provisions of the Water Resources Development Act of 1986, as amended, and other Corps policy regarding projects of this scope. After the federally funded phase one reconnaissance investigation is completed, and if the City of Virginia Beach determines that it is interested in pursuing follow-up studies, as warranted, we would be willing to consider sharing in the cost of the phase two feasibility study. In addition, prior to implementation of any potential Federal improvements in the Elizabeth River Basin, we would be willing to consider providing our share of the requirements for local cooperation, including cash contribution at the time of construction in accordance with Federal law and current Corps policy as a non-federal sponsor.

The Honorable Becky Norton Dunlop
December 12, 1995
page two

As a neighbor to this resource, along with our sister cities, Virginia Beach has a vested interest in restoring the Elizabeth to its highest possible level of environmental quality. We understand that the problems evidenced in the Elizabeth River watershed were not generated by any one entity, and therefore accept our responsibility to shoulder our fair share as a full partner in helping to restore the bounty of this resource. This work can best be accomplished through a cooperative and cost-effective effort, such as proposed by the Corps.

We are hopeful that the Elizabeth River Basin will be selected for phase one federal funding for the reconnaissance study, and look forward to working with you and our neighbors on this project. Please contact us if we may be of further assistance in providing support for this effort.

Sincerely,

James K. Spore

James K. Spore
City Manager

CC: Clarence V. Cuffee
James B. Oliver, Jr.
V. Wayne Orton
Colonel Robert H. Reardon, Jr.
Robert R. Matthias
H. Clayton Bernick, III

Editorial page

THE VIRGINIAN-PILOT MONDAY, JANUARY 22, 1996

THE ELIZABETH RIVER PROJECT

How to cleanse a river

Cleansing polluted rivers is no snap. The British began the cleanup of the Thames in the mid-19th century. Fish did not reappear at London Bridge until a century later.

Cleansing South Hampton Roads' Elizabeth River, degraded by humankind, will be no snap either.

The Elizabeth River springs off the body of water known as Hampton Roads — the roadstead in which ships may ride at anchor — to divide Norfolk and Portsmouth. It then splits into three branches, the Western Branch, which thrusts through Portsmouth, the Southern Branch, which further divides Norfolk and Portsmouth and snakes into Chesapeake, and the Eastern Branch, which separates Chesterfield Heights from Berkley. Of the three branches, the Southern Branch is the most polluted.

Cleansing the river, degraded by humankind, will be no snap.

Fish live in the Elizabeth and its branches. But many are blind, deformed and afflicted with cancers because of the toxins in the waterways' sediment. Poisoned fish aren't safe for human consumption.

Reducing pollutants, thus lessening the peril to fish and people, and heightening appreciation of the waterway's positive roles constitute the mission of the Elizabeth River Project. This grass-roots, nonprofit organization was the product of a conversation among four regional residents who got together in November 1991 to talk about upgrading the Elizabeth's water quality.

Aided by private-sector seed grants totaling less than $2,000, the project's founders asked 65 community leaders in 1992 about their thoughts on the plight of the Elizabeth, the importance of the river to Hampton Roads and the economic, esthetic and environmental gains that could be expected from a cleaner waterway.

The survey recorded enough concern about the river and appreciation for its economic, ecological and recreational value to transform the Elizabeth River Project from concept to reality. The project then assembled 80 men and women — representing civic leagues, shipyards, watermen, colleges and universities, environmental groups, city, state and federal agencies, engineering firms, marine-science agencies — into three Comparative Risk Committees. The panels were commissioned to identify and prioritize the river's ills. They subsequently reported that the most-serious risks to the river are (1) polluted sediment and harmful sedimentation processes, (2) loss of habitat and plant and animal life, (3) polluted runoff from streets, roads, yards and other surfaces and (4) pollution from specific enterprises.

This led to formation of a 120-member Watershed Action Team, which also represented a wide spectrum of society. The team recently finished the first draft of a comprehensive plan for environmental restoration in the Elizabeth River watershed.

The Elizabeth River Project's work has been made possible with grants from the U.S. Environmental Protection Agency's Regional and State Planning Branch and the Virginia state government, as well as grants from the private Virginia Environmental Endowment and funds from other public and private sources.

Now the U.S. Army Corps of Engineers has been told it may proceed with a $400,000 study of Elizabeth-cleanup options when Congress appropriates the funds. The Corps of Engineers will build on the foundation laid by the Elizabeth River Project.

So far, so good. The Elizabeth is cleaner today than it was during World War II and into the 1950s because the Hampton Roads Sanitation District Commission plugged all the outfalls pouring raw sewage into it and because of growing governmental regulation and increased sensitivity to the environment by businesses operating on, alongside or near the river.

But much remains to be done. The Elizabeth is one of the three dirtiest waterways hooked to Chesapeake Bay (the Anacostia River in Washington and Baltimore's harbor are the others). To breathe freshness into the Elizabeth, wetlands must be restored, heavy metals and other sources of toxins remediated and the river protected against polluted runoff in the watershed.

We applaud the broad public involvement in the Elizabeth River Project and the orderly progress toward the cleanup. We applaud, too, the pluck and smarts of the small band that a scant four years ago set out to do something about the most urban-stressed river in Hampton Roads.

Neighbors making a difference

By Tony Wharton
Staff Writer

This is about a habit some of your neighbors have picked up. They've walked out of their homes, taken off their ties and pitched in elbow-to-elbow to tackle the community's toughest problems: crime, pollution, racial division.

The Virginian-Pilot first visited with them about a year ago, looking at instances where people in South Hampton Roads had come together to work on issues that often had been left to government. Sometimes government couldn't do it. Sometimes people just decided they wanted to do it themselves.

It's a persistent habit, one that many Americans have developed.

Some smart people around the country even study the habit. Harry Boyte, at the Humphrey Institute of Public Affairs in Minneapolis, wrote that people working together to solve problems "connects the community, the workplace, and the home to the larger public stage. It generates pride and civic dignity and develops people's full identity as 'citizens.' "

It also could be described as, well, politics. Politics happens when people get together to work out knotty problems. They work hard, they compromise, they argue. Politics has become a dirty word, but it begins with people who want to bring about change.

What Boyte doesn't say, and the people we talked to did, is that this is fun. It's like a barn-raising — awfully hard work, but you don't soon forget it.

■ A broad spectrum of interests is getting a jump on the government in its efforts to save the Elizabeth River.

What started around a kitchen table is finally starting to cook.

The Elizabeth River Project is drafting its proposal to rescue the river that pumps through the heart of Hampton Roads. Five years after the idea first percolated, four years after its founders started asking other people what they thought, they're ready to act.

On June 20, the project will hold a public conference at Nauticus in Norfolk to present a "watershed action plan" for the river.

When they do, it will be one place where environmental conservation — a notion that began 30 years ago with ordinary folks but somehow became a branch of government — comes home again.

This plan does not spring from the desks of bureaucrats. The work was done across South Hampton Roads on home computers, in shipyards, in back yards, some of it actually on boats.

It was written by people who want to be able to swim in the Elizabeth River again, to fish from it one day, to walk their children along its banks. They want to take their river back.

"Government can only go so far as the will of the people," said Marjorie Mayfield, director of the project and one of its founders. "If the community doesn't want it, the government can't do it.

"We wanted to build an educated, concerned constituency, unite the diverse interests, sit down at a table with all the parties. We've been looking for the middle ground where things can happen."

That, she said, is not something government can do well, because everyone expects the worst of government.

The project has recruited a broad spectrum of businessmen, shipbuilders, environmentalists and even government experts working on their own time. With any luck, they'll have a good jump on the consensus necessary to get their recommendations moving with the public, the industry and the state legislature.

"In this day and age, what we see is a lot of more militant environmental groups losing support," Mayfield said. "We're just finding a lot more support with the partnership approach."

Mr. BEVILL. We will be glad to hear from you. Can you summarize yours? We will have the full copy of yours.

Mr. FISHER. I have no further comments in support.

Mr. BEVILL. You get what you ask for.

Mr. SISISKY. Mr. Chairman, there was something I forgot. I talked about the Norfolk Naval Shipyard and the naval base down there. You should see aircraft carriers come out of that river. It looks like it holds the whole river that goes to the shipyard.

But we also have NOAA on that river. We also, believe it or not, we have the Corps of Engineers on the river, and the Coast Guard. There are only two buildings that the Corps owns, and one of them is on the Elizabeth River and everybody wants to get that building. We want to let them move.

Hello there.

Mr. MYERS. I am going to have to leave.

Mr. SISISKY. Oh, no, you can't leave.

Mr. MYERS. My chairmanship didn't last long. Don't turn your back.

Mr. SISISKY. But we do thank you and we do thank Congressman Myers.

Mr. BEVILL. He has been wanting it all these years, and he finally got it and now he is tired of it already.

Mr. SISISKY. I know. We are going to miss both of you. I have been coming here for 14 years.

Mr. BEVILL. The Chairman accuses me of spending all the money and then giving him the gavel.

Mr. SISISKY. Well, you did a pretty good job.

Mr. MYERS. That is right.

Mr. SISISKY. You did a pretty good job.

Mr. MYERS. I am sorry I missed your testimony.

Mr. SISISKY. Thank you very much.

Mr. BEVILL. We will certainly work with you on this and do what we can to be of help to you; you will be surprised to know that you were inviting me to come out to Norfolk, and I spent the weekend out there on the John Stennis and had a very great weekend. We got in a storm, and that added to it.

Mr. SISISKY. I would like to tell you the story of how we named that ship.

Mr. BEVILL. Well, I had an idea you played a role in it in your position.

Mr. SISISKY. Actually, the CVN 77 was supposed to be the USS Sisisky, but Ronald Reagan won out over me.

Mr. BEVILL. Well, I will tell you the rubber bands worked.

Mr. SISISKY. I can show you my hat in the office, USS Sisisky.

Mr. BEVILL. When we landed, the rubber bands worked all right. And then when they shot us off the deck, I did lose my hat on that.

Mr. SISISKY. It is a thrill, though.

Mr. BEVILL. Other than that, I made it fine.

Mr. SISISKY. I tell you, I tell people all the time, only an aircraft battle group can show the might and power of the United States; you can't see a bomber at 40,000.

But it is an imposing thing, isn't it?

Mr. BEVILL. Yes, it really is, it really is.

Mr. SISISKY. Thank you very much.

Mr. BEVILL. Good to see you.

TUESDAY, MARCH 5, 1996.

YUCCA MOUNTAIN PROJECT

WITNESS

THE HON. JOHN ENSIGN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEVADA

Mr. BEVILL. We are pleased to have you with us, John, our good friend and colleague and so we will hear from you at this time.

Mr. ENSIGN. Thank you, Mr. Chairman and Mr. Chairman. I appreciate the opportunity to be before you today, and I do find myself in a little bit of a unique situation in that I am not asking you for money. As a matter of fact, I am asking for just the opposite, that you not appropriate money for a certain project in my State.

Mr. BEVILL. I don't know if we are going to be able to handle that.

Mr. ENSIGN. You might want to hear the rest.

The project to which I am referring is, of course, the commercial nuclear waste program. The Yucca Mountain project has plagued our State for many, many years, and realizing that the Yucca Mountain project has become a failure, it has needlessly expended billions of taxpayers' dollars.

The nuclear industry has now changed its focus to interim storage; and ironically, this so-called interim storage also has a facility life of over 100 years. This so-called interim facility poses new health, safety and economic risks to Nevada and other State's citizens.

When we talk of interim storage, we must look at all the factors involved, including transportation. The idea of shipping at least 86,000 metric tons of waste as the nuclear industry has proposed is ludicrous to me. This stuff is going to be shipped across 43 states to create unprecedented health and safety threats to hundreds of communities across the country.

Recently, we have suffered from multiple train accidents around the country. Just Sunday, an 81-car Wisconsin Central Limited freight train derailed, carrying millions of tons of propane gas that could have resulted in catastrophic outcomes. I hold up a newspaper here that has that; and can you imagine if this train would have collided with one of the trains with—that was carrying the nuclear waste shipments?

Also, we had similar incidents happen right here near the D.C. area with train derailments. They are becoming increasingly common as our tracks are aging; you know, the railroads themselves seem to be in good shape, the cars and everything, but the tracks are increasingly aging, and we are seeing more and more of these accidents occurring. And now we are talking about shipping nuclear waste across these same rail lines.

In 1987, when Yucca Mountain was selected as the permanent facility, political expediency prevailed over sound science and common sense. Due to the efforts of many people from the Nevada delegation, we have been able to delay the process and keep it from coming on line, because I truly believe that this is not the best use of our budget dollars. It is not the best use of science to put this stuff in Yucca Mountain. It is way over budget, and it is going to continue to be more and more over budget as the years go on.

Many factors must be studied before arbitrarily selecting the Nevada test site as the repository for the Nation's nuclear waste, and the reason I am talking about interim is because, you know, we appropriate for Yucca Mountain and then we take that money and we are starting to put that money toward the interim storage facility.

The original historic purpose of the Nevada test site must be taken into account. It has the most unique series of underground tunnels suited to weapons testing in the United States; and as a side note, Nevadans have always, in the Nation's interest, vital U.S. interest, for defense we have always been willing to handle this nuclear underground testing. It has not been something that you really want in your backyard, but for the interests of the Nation's national security, we have been willing to put up with that.

Nuclear waste is not the same kind of national security issue. This is not a national security issue; this is an energy policy issue, and we don't feel in Nevada that we should have to take everybody else's waste when we have not benefited from any of the nuclear power. We don't have any nuclear power in the State of Nevada.

Also, this above-ground nuclear waste would threaten the future of the Nevada test site in testing, because you have blown up nuclear bombs underneath the ground, and if you add this stuff, it raises a lot of questions there as to whether you could even resume testing of our nuclear facilities at the Nevada test site.

Finally, when considering solutions to the high-level nuclear waste storage dilemma, we must examine the possibility of on-site dry cask storage. You see, when they were developing the transportation mode for these dry cask—or for these nuclear waste pods, they developed fairly good ways to store these things. Right now Calvert Cliffs is storing them, using on-site dry cask storage, and several other places. This is the cheapest measure that we can use from a budgetary standpoint, but also from a scientific standpoint.

We are going to be able to reprocess this waste in the future. The worst thing we can do is to stick it some place where we can't retrieve it. The best thing to do is to keep it on site, take this money that you are going to appropriate from Yucca Mountain, give it to the place that has the on-site dry cask storage now to allow them to expand their facilities to be able to bring this stuff from basically the swimming pools they have it in now, bring it to on-site dry cask storage; and they can store that stuff for over 100 years on site. It is the best from an economic standpoint, and it is the best from a scientific standpoint and from an environmental standpoint.

I would be happy to answer any questions.

Mr. BEVILL. Thank you, John. Certainly, the chairman and this committee will consider all of your statement and thank you very much.

Mr. ENSIGN. Okay. Thank you.

[The statement of Mr. Ensign follows:]

STATEMENT BY

THE HONORABLE JOHN ENSIGN

BEFORE THE

APPROPRIATIONS SUBCOMMITTEE ON ENERGY AND WATER

MARCH 5, 1996

Mr. Chairman, Mr. Bevill and members of the subcommittee, I appreciate the opportunity to appear before you today. I find myself in a unique situation as I am not requesting money for a project in my state, but rather, requesting that you not expend money for a project under your jurisdiction.

The project to which I am referring is the commercial nuclear waste program. The Yucca Mountain project has plagued the State of Nevada for many, many years. Realizing that the Yucca Mountain project has become a failure and has needlessly expended billions of taxpayer dollars, the nuclear industry has now changed its focus to interim storage. Ironically, this so called "interim" facility has a life of over 100 years. This so called "interim facility" poses a new health, safety and economic risk to Nevada's and other states' citizens.

When we talk of interim storage, we must look at all the factors involved, including transportation. The idea of shipping at least 86,000 metric tons of waste, as the nuclear industry has proposed, is ludicrous to me. This stuff is going to be shipped across 43 states to create unprecedented health and safety threats to hundreds of communities across the country. Recently, we have suffered from multiple train accidents around the country. Just Sunday an 81-car Wisconsin Central Ltd. Freight train derailed carrying millions of tons of propane gas that could have resulted in catastrophic outcomes. Before that a Marc Train derailed in nearby Silver Spring, Maryland, and there are countless others. What if either of these trains had collided with a train carrying nuclear waste? Our railroad infrastructure is deteriorating and we cannot afford to put hundreds of thousands of people at risk as we try to transport this waste across the country to Nevada.

As it happened in 1987, when Yucca Mountain was selected as the permanent facility, political expediency has prevailed over sound science and common sense. Luckily, due to the arduous efforts of the entire Nevada delegation, attempts to authorize such an interim facility have not been successful. I, as well as a majority of Nevadans, do not want to see Nevada become the dumping ground for our nation's high level nuclear waste problem.

All of this is based on the premise that the Secretary of Energy must begin acceptance of high level nuclear waste by 1998. The nuclear industry has repeatedly argued DOE must comply because it is the law. But, the Nuclear Waste Policy Act of 1982 states the permanent and the interim site can not be in the same state. This is the law. Am I to assume one law supersedes the other, or do we comply only with laws when it's convenient?

Many factors must be studied before arbitrarily selecting the Nevada Test Site as the repository for the nation's nuclear waste. The original historic purpose of the Nevada Test Site must be taken into account. It has the most unique series of underground tunnels suited to weapons testing in the United States. Out of 1,000 above and below ground nuclear tests which have taken place in this country since the 1940's, over 952 occurred at the NTS. Storage of high level radioactive waste here would preclude our ever resuming testing to maintain the effectiveness of our nuclear stockpile. It is the only place in the world available to the United States where the infrastructure exists for nuclear weapons testing. Above ground storage of high level nuclear waste would be susceptible to ground motion from underground nuclear testing.

Finally, when considering solutions to the high level nuclear waste storage dilemma, we must examine the possibility of on-site dry cask storage. Since site characterization studies were initiated at Yucca Mountain, the technology for dry cask storage has been perfected. In reality, while developing the technology for transportation to the Yucca Mountain site, the safest and most sensible technology was discovered. We need only to look at Maryland to see the phenomenal job they did with dry cask storage at Calvert Cliffs, and to Virginia Power which recently began dry cask storage at one of their facilities. Facing the reality that a permanent storage repository would not be licenced for at least fifteen years, these utility companies took matters into their own hands and began construction of on-site storage. The success of this very viable solution has already been tested and realized-more than can be said of either a permanent or interim facility in Nevada. Therefore, I urge the Subcommittee to appropriate funds to the DOE to be utilized for on-site storage at the various nuclear reactor sites around the country. This eliminates any transportation dangers and, should the technology be developed to reuse this fuel, the waste is already on site where the reprocessing would occur.

TUESDAY, MARCH 5, 1996.

SUSQUEHANNA RIVER BASIN COMMISSION

WITNESS

HON. TIM HOLDEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA

Mr. BEVILL. We will be glad to hear from my good friend and colleague, Congressman Tim Holden.

Tim, you may proceed as you wish.

Mr. HOLDEN. Thank you, Mr. Chairman, for holding this hearing. I appreciate the opportunity to appear before you today and discuss a small but important item under the jurisdiction of this subcommittee. That is the Susquehanna River Basin Commission, which is vitally important to the Commonwealth of Pennsylvania and to the whole Chesapeake Bay area.

I know that this subcommittee is having to make tough budget choices, but this is precisely why I think you should look favorably upon the Susquehanna River Basin Commission. In the area of water management, you won't find a project that delivers a better bang for the buck. In fact, the Susquehanna River Basin Commission returns more money to the U.S. Treasury than it receives.

For example, the SRBC has purchased 25,000 acre feet of water storage in the Cowanesque Reservoir, a federally owned flood control facility located near Lawrenceville, Pennsylvania on the New York-Pennsylvania border. The SRBC pays the Federal Treasury $2.8 million annually for this storage, monies which the government would not be receiving but for the action of the commission. For every dollar the Federal Government invests in the SRBC, $8 are returned to the Federal Treasury.

The commission is now formulating plans for similar storage and release projects in other federally owned reservoirs which would also return money to the Treasury and provide more low-flow enhancement. Of particular interest to me is the commission's interest in acquiring storage to meet water needs of agriculture. Such an agriculturally oriented storage project, while common in the West, would be a first of its kind in the eastern part of the United States.

The commission is managing the waters of the Nation's largest eastern river, whose waters flow across three States and supply half of the water in the Chesapeake Bay. Constantly interacting with Federal agencies who are involved in the management of the basin's water resources. The commission deals with issues that have national implications; it makes no sense for the Federal Government to turn its back on the commission and pretend that there is no Federal interest.

We know that the nonpoint source pollution originating in the Susquehanna watershed poses significant threat to the Chesapeake Bay, one of the Nation's premier natural resources. Working with the EPA's Chesapeake Bay program, the commission is monitoring causes of nonpoint source pollution and experimenting with ways to reduce it through the use of best management practices and constructed wetlands.

The focus of the commission's authority, much like that of the Federal Government, is on interstate matters. Like the waters that flow in the river, the commission's authority transcends State boundary lines and extends to the entire river watershed. In this way, the commission, unlike States alone, can comprehensively deal with important water resource issues such as flood forecasting and warning, and consumptive use of water.

Working cooperatively with the National Weather Service and the U.S. Geological Survey, like it does with so many other Federal agencies, the commission developed an improved flood forecasting system for the Susquehanna River Basin, one of the most flood-prone in the Nation. Recent flooding in the Susquehanna River Basin during January of this year reminded us of the tremendous costs enacted by floods in terms of loss of life, human suffering, property loss and Federal disaster relief.

Even with so much of the commission's work focused on interstate matters, it is not as if the Federal Government is being asked to do all of the heavy lifting on this commission. Three States have joined with the Federal Government to manage the basin's water resources and to share in the funding of the commission. It is a partnership that exemplifies the so-called "new federalism" at its best, i.e. a return of more authority and discretion to the States and a more efficient sharing of power between the States and the Federal Government.

Nevertheless, the States cannot be expected to shoulder the entire financial burden for the operation of the commission. Many States are facing fiscal deficits in unprecedented proportions.

I would like to thank this committee for the opportunity to comment on the work of the SRBC, and I hope that you will agree with me that the work of the commission is well worth the Federal investment of $380,000. Thank you, Mr. Chairman.

Mr. BEVILL. Thank you. Thank you very much, Tim, and we will certainly work with you and do the best we can.

Mr. HOLDEN. Thank you very much.

[The statement of Mr. Holden follows:]

Testimony of The Hon. Tim Holden
before the
Subcommittee on Energy and Water Development
Committee on Appropriations
U.S. House of Representatives

March 5, 1996

Thank you, Mr. Chairman, for the opportunity to appear before you today and discuss a small but important item under the jurisdiction of this distinguished Subcommittee. The Susquehanna River Basin Commission (SRBC) is vitally important to the Commonwealth of Pennsylvania and to the whole Chesapeake Bay area.

I know that this Subcommittee is having to make tough budget choices, but this is precisely why I think you should look favorably on the Susquehanna River Basin Commission. In the area of water management, you won't find a project that delivers a better bang for the buck. In fact, the Susquehanna River Basin Commission returns more money to the U.S. Treasury than it receives.

For example, the SRBC has purchased 25,000 acre-feet of water storage in the (sic Cowanesque Reservoir, a federally owned flood control facility located near Lawreneville, PA, on the New York-Pennsylvania border. The SRBC pays the federal treasury $2.8 million annually for this storage, monies which the government would not be receiving but for the action of the Commission. For every dollar the federal government invests in the SRBC, eight dollars are returned to the federal treasury.

The Commission is now formulating plans for similar storage and release projects in other federally owned reservoirs which would also return money to the treasury and provide more low flow enhancement. Of particular interest to me is the Commissions interest in acquiring storage to meet water needs of agriculture. Such an agriculturally oriented storage project, while common in the West, would be the first of its kind in the Eastern U.S.

The Commission is managing the waters of the nation's largest Eastern river, whose waters flow across three states and supply half the water in the Chesapeake Bay. Constantly interacting with federal agencies who are involved in the management of the basin's water resources, the Commission deals with issues that have national implications. It makes no sense for the federal government to turn its back on the Commission and pretend that there is no federal interest.

We know that non-point pollution originating in the Susquehanna watershed poses a significant threat to the Chesapeake Bay, on of the nation's premier natural resources. Working with the EPA's Chesapeake Bay Program, the Commission is monitoring causes of non-point source pollution and experimenting with ways to reduce it through the use of best management practices and constructed wetlands.

The focus of the Commission's authority, much like that of the federal government, is on interstate matters. Like the waters that flow in the river, the Commission's authority transcends state boundary lines and extends to the entire river watershed. In this way, the Commission, unlike the states alone, can comprehensively deal with important water resource issues such as flood forecasting and warning, and consumptive use of water.

Working cooperatively with the National Weather Service and the U.S. Geological Survey, like it does with so many other federal agencies, the Commission developed an improved flood forecasting system for the Susquehanna River Basin, one of the most flood prone in the nation. Recent flooding in the Susquehanna Rover Basin during January of this year reminded us of the tremendous costs exacted by floods in terms of loss of life, human suffering, property loss and federal disaster relief.

Even with so much of the Commission's work focused on interstate matter, it is not as if the federal government is being asked to do all of the heavy lifting on this Commission. Three states have joined with the federal government to manage the basin's water resources and to share in the funding of the Commission. It is a partnership that exemplifies the co-called "new federalism" at its best, i.e. a return of more authority and discretion to the states and a more efficient sharing of power between the states and the federal government.

Nevertheless, the states cannot be expected to shoulder the entire financial burden for operation of the Commission. Many states are facing fiscal deficits in unprecedented proportions.

Thank you for the opportunity to comment on the work of the SRBC. I hope you will agree with me that the work of the Commission is well worth a federal investment of $380,000.

TUESDAY, MARCH 5, 1996.

WARES CREEK FLOOD CONTROL PROJECT

WITNESS

PATRICIA M. GLASS, FIRST VICE CHAIRMAN, MANATEE COUNTY BOARD OF COMMISSIONERS

Mr. BEVILL. Next we have Ms. Patricia Glass.

Ms. Glass, we are pleased to have you with us and we would be glad to hear from you. Your full statement, each of your full statements, will be made a part of the record; and you have five minutes, and you may proceed as you wish.

Ms. GLASS. Thank you, Mr. Chairman, and good afternoon. We really appreciate this opportunity to appear before you to testify on behalf of Manatee County, Florida—people ask me where it is and I am forced to say, I am sure you do know, Tampa and Sarasota and so on—in support of the Wares Creek Flood Control Project. With me is my colleague from the Manatee County Commission, the Honorable Gwen Brown, who is the District Commissioner for this impacted area that I am going to speak of; and our Ecosystems Manager, Mr. Charles Hunsicker.

This project is fully supported by the——

Mr. BEVILL. Glad to have each of you with us.

Mr. HUNSICKER. Thank you.

Ms. BROWN. Thank you.

Ms. GLASS. The project is fully supported by the Army Corps of Engineers in both the district and Washington offices; Congressman Dan Miller, who represents our county; and Florida Senators——

Mr. MYERS. He has talked to us already.

Ms. GLASS. Pardon me?

Mr. MYERS. He has talked to us already.

Ms. GLASS. Yes, and we appreciate that.

——and Florida Senators Connie Mack and Bob Graham.

I am here today to ask that this project, which is scheduled for authorization in the 1996 Water Resources Development Act, be appropriated accordingly in the fiscal year 1997 Energy and Water Appropriations bill.

This is a critical issue for Manatee County and, in particular, the City of Bradenton, representing populations respectively of 240,000 and 40,000 within the city. Wares Creek and Cedar Hammock, the east branch, are the upper and lower reaches of the same stream. Wares Creek is a name attached to the downstream reach which lies mostly within the environs of the City of Bradenton. The Cedar Hammock part of the stream is partly hardened urban drainage waterway which empties into Wares Creek, which in turn enters the Manatee River. The entire stream covers about six square miles and drains along a high-density residential and commercial area of Manatee County.

Flooding occurs frequently all along the lower canal and the creek, and dramatic rainfall events cause extensive property damage. Traffic in and around the large commercial district in the heart of our population is severely disturbed. Overall, the Wares

Creek flooding problem poses serious public safety concerns and hazardous living conditions.

Our residents in the affected area can anticipate up to 3 feet of standing water every two years or more, depending upon weather conditions, and they have been most frequent lately. This fact is documented in the detailed project report. The county has been working with the U.S. Army Corps of Engineers ever since 1987 to study the flooding problems along Wares Creek and evaluate plans to reduce the flooding in this area. After nearly a decade, our citizens are pretty discouraged; nevertheless, we stand firmly ready to pay our share of the project through individual assessments and, indeed, have already contributed a large share of all costs associated to date with the detailed project report conducted by the Army Corps of Engineers' authorities program.

Along the way, there have been several glitches; we got off track. We got back on and through some of those confusions that arise; I am sure you are aware of them.

At the recommendation of the Corps, we respectfully seek congressional authorization and appropriation for this project.

Obviously, this project has great merit and our citizens desperately need your committee's support. The Corps of Engineers has found a benefit-cost ratio of 3 to 1, validating the economic feasibility, and have also issued a finding of No Significant Impact, underscoring that this is environmentally acceptable. It is estimated that the recommended plan would reduce the average amount of flood damage in the area by 57 percent, and that is a lot, considering the conditions. In a time when the Congress is having to appropriate money for disaster relief, it just makes good sense to invest in solid preventive measures; and of course, there is an ameliorative effect also to repair damage, particularly those rated as highly as this project.

Accordingly, for the record, I submit for your consideration a copy of the Corps' findings of No Significant Impact and a copy of the detailed project report, as well as a letter from the Honorable Gwendolyn Brown, Commissioner from that district. And, again, the citizens of Manatee County appreciate your understanding and very special consideration in this time of need for us.

We thank you very much. And we are prepared to answer any questions if you have them.

Mr. BEVILL. Thank you for your very fine statement. I am sure the Chairman and each of us are going to be working with your delegation. You obviously have exhibited a very good approach here, especially when you put the local funds in there to go with it.

Ms. GLASS. Yes.

Mr. BEVILL. That strengthens your case a great deal.

Ms. GLASS. Also it is an indication, we understand what you go through.

Mr. BEVILL. As the Chairman says, that sweetens the pot. So we will work with you and I hope we can accommodate you.

Ms. GLASS. Thank you. We appreciate it very, very much.

[The statement of Ms. Glass follows:]

MANATEE COUNTY
BOARD OF COUNTY COMMISSIONERS

STATEMENT OF
MANATEE COUNTY COMMISSIONER PATRICIA M. GLASS (AT-LARGE)
Committee on Appropriations
Subcommittee on Energy and Water Appropriations
March 5, 1996

Thank you Mr. Chairman for allowing me to testify on behalf of Manatee County, Florida in support of the Wares Creek Flood Control Project. With me is my colleague from the Manatee County Commission, the Honorable Gwendolyn Y. Brown, and our Ecosystems Manager, Mr. Charles Hunsicker. Ms. Brown represents the district of Manatee County and I am an at-large Commissioner.

This project is fully supported by the Army Corps District and Washington offices, Congressman Dan Miller who represents our County, and Florida Senators Connie Mack and Bob Graham. I am here today to ask that this project, which is scheduled for authorization in the 1996 Water Resources Development Act, be appropriated accordingly in the Fiscal Year 1997 Energy and Water Appropriations bill.

This is a critical issue for Manatee County and the City of Bradenton, representing populations of 240,000 and 40,000 respectively. Wares Creek and Cedar Hammock (east branch) are upper and lower reaches of the same stream. Wares Creek is the name attached to the downstream reach which lies mostly within the city limits of Bradenton, FL. The Cedar Hammock part of the stream is partly hardened urban drainage waterway that empties into Wares Creek, which in turn enters the Manatee River. The entire stream system covers about six square miles and drains along high density residential and commercial areas of Manatee County. Flooding occurs frequently all along the lower canal and creek, and dramatic rainfall events cause extensive property damage. Traffic in and around a large commercial district in the heart of our population is severely disturbed. Overall the Wares Creek Flooding problem poses serious public safety concerns and hazardous living conditions.

Our residents in the affected area can anticipate up to 3 feet of standing water every two years or more depending upon the weather conditions. This fact is documented in the Detailed Project Report. The County has been working with the U.S. Army Corps of Engineers since 1987 to study the flooding problems along Wares Creek and evaluate plans to reduce flooding in the area.

P.O. Box 1000, Bradenton, Florida 34206
FAX (813) 745-3790
(813) 745-3700

After nearly a decade our citizens are pretty discouraged; nevertheless, we stand firmly ready to pay our share of the project through individual assessments and indeed, we have already contributed a large share of all costs associated to date for the DPR conducted under the Corps' Continuing Authorities Program. At the recommendation of the Corps, we are respectfully seeking congressional authorization and appropriation for this project.

Obviously this project has great merit and our citizens desperately need your Committee's support. The Corps of Engineers has found a benefit-cost ratio of 3 to 1, validating the economic feasibility and also have issued a finding of No Significant Impact, underscoring its environmental acceptability. It is estimated that the recommended plan would reduce average annual flood damages in the area by at least 57 percent. In a time where the Congress is having to appropriate money for disaster relief, it just makes good sense to invest in solid preventive measures, particularly those rated as highly as this project.

Accordingly for the record, I submit for your consideration a copy of the Corps' Finding of No Significant Impact and a copy of the Detailed Project Report, as well as the letter from the Honorable Gwendolyn Y. Brown, Commissioner from the District. Again the citizens of Manatee County appreciate your understanding and very special consideration in our time of great need.

CEDAR HAMMOCK (WARES CREEK) DETAILED PROJECT REPORT SYNOPSIS U.S. ARMY CORPS OF ENGINEERS

INTRODUCTION

The U.S. Army Corps of Engineers has recently completed a flood control study of the East Branch of the Cedar Hammock Drainage Canal (which includes Wares Creek). The purpose of the study was to evaluate alternative plans and develop a detailed plan to be recommended for implementation. Federal law requires that any plan recommended for Federal funding be economically justified (that is, the damages prevented by a plan are greater than the cost to construct the plan) and environmentally acceptable.

BACKGROUND

By letter dated July 21, 1987, Manatee County made formal application for a study of the Cedar Hammock Drainage Canal under the Section 205 Authority. This request was combined with a previous request by the city of Bradenton for a study of flooding problems along Wares Creek. A Reconnaissance report for the combined areas of Cedar Hammock and Wares Creek was completed in March 1990. The report identified an economically feasible and environmentally acceptable alternative for reducing flooding in the area. Therefore, further detailed study for the East Branch of the Cedar Hammock Drainage Canal was warranted.

A Feasibility Cost Sharing Agreement (FCSA) was signed between the Corps of Engineers and Manatee County, Florida, on December 17, 1990. The cost of the study is being shared 50/50 between the Corps of Engineers and Manatee County. The study was initiated in April 1991, following receipt of funds. The draft Detailed Project Report was completed in August 1994.

EXISTING CONDITIONS

The rain gage at Bradenton has rainfall records since 1913. Annual maximum one-day rainfall recorded at Bradenton from 1913 to 1993 are listed in the attached Table A-1. A hydrograph, Figure A-4, was developed to show the time needed for the stormwater runoff from the drainage basin to discharge from the mouth of the Cedar Hammock Drainage Canal. For this drainage basin, the time that it takes for the stormwater runoff from a given storm event to discharge from the East Branch of the Cedar Hammock (Wares Creek) Drainage Canal into Manatee River is a maximum of 24 hours.

A frequency analysis was performed using historical data to develop information about the expected future occurrence of certain magnitudes of storms. A number of factors are taken into consideration to develop the frequency of a storm event, such as: the size and shape of a drainage basin, as well as antecedent conditions or how much rainfall has already fallen in the basin in preceding days. Flood frequency is defined as the probability that a particular flood event will occur in any given year. For example, a 10-year flood has a 10% possibility to occur or a 50-year flood has a 2% chance of occurring in any given year.

The following table identifies the amount of rainfall in certain storm events for the study area:

Percent Chance Storm Event	24-hour Rainfall in Inches
50 % or 2-year	4.31
20 % or 5-year	5.82
10 % or 10-year	6.95
4 % or 25-year	8.59
2 % or 50-year	9.80
1 % or 100-year	11.19

Recent flooding problems experienced in Manatee County occurred during September 1988. Between September 5 and September 7, 1988, 14.75 inches of rain fell in the area. Table A-1 shows that the highest amount of rainfall in a given 24-hour period during that 1988 storm event was 5.84 inches, which occurred on September 7. Based on the rainfall intensities recorded for the storm at Bradentón and in the vicinity, the 1988 storm was estimated as a 10 percent chance event.

The Manatee County Public Works Department assessed the county's damages from the storm and heavy rainfall. The summary of these damages are shown in table below. The damage was due to rainfall only, winds and tidal effects did not occur in the study area.

DAMAGES COMPILED BY
MANATEE COUNTY PUBLIC WORKS DEPARTMENT
OF SEPTEMBER 1988 STORM

DAMAGES	ESTIMATED VALUES
TO COUNTY MAINTAINED ROADS	$12,000,000 - 24,000,000
FROM SILTATION & NAVIGABLE CHANNELS	$500,000
TO COUNTY WASTEWATER SYSTEM	$75,000

Between June 23 and 29, 1992, a record setting rainfall occurred over west Central Florida. The flooding that occurred in the study area was also estimated to be a 10 percent chance event or 10-year flood. Damages to the study area, specifically, are not available.

The single-family residential and mobile home damage relationships for structural damage and content damage were estimated using actual claims information from the Federal Emergency Management Agency (FEMA) for the State of Florida during the period 1978 to 1985. Since damage estimates for multi-family residential were not available from FEMA, relationships developed in the Jacksonville District were used.

Average annual damages for the existing land use pattern in the study area are estimated to be $6.7 million. Flood damages under existing conditions are shown in the table below. The damages for a 10-year storm are estimated to be $22.2 million, affecting 2,684 structures. Plates 1 and 2 show the flooded areas for the 10-year flood under existing conditions.

DAMAGES AND BENEFITS
($ in thousands)
WITHOUT PROJECT CONDITIONS

	2-YEAR	5-YEAR	10-YEAR	25-YEAR	50-YEAR	100-YEAR	SPF
Number of uctures sceptible to Flooding	139	1,128	2,684	3,293	4,192	4,507	5,185
Average Annual Damages	$41	$4,488	$22,254	$31,005	$51,308	$73,537	$182,221

While Plates 1 and 2 show the lateral extent of the flooding, Table A-2 provides the water surface elevation at the cross sections identified on the plates to show the depth of flooding.

It is important to note that in the analysis and design of the proposed project, large scale aerials with one-foot contours of the study area were used. For the purposes of this synopsis of the report; more convenient, smaller scale maps have been used to show the flooded areas. These smaller maps are older and do not accurately portray the existing contours in the study area.

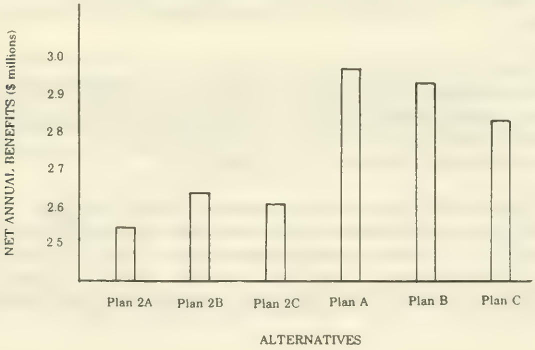
It also needs to be explained that while the flooded area maps show large areas of flooding even with the proposed project in place, the depth of flooding has been decreased. The depth of the flooded areas may only occur in the roadways or into the lawns of some residential areas. Most homes are built at least six inches to one foot higher than the adjacent roads. The water surface elevations should be referred to along with the slab elevation of a particular home to see if the home will actually be flooded.

PLAN FORMULATION

The purpose of this study is to investigate flooding and related problems, determine if feasible means for reducing these problems exist, and recommend the most appropriate course of action within the funding limits established under Section 205 of the Flood Control Act of 1948, as amended. The amount allotted under this Section for a project must be sufficient to complete Federal participation in the project. Not more than $5 million shall be allotted for a project at any single locality for the construction of small projects for flood control and related purposes not specifically authorized by Congress.

With this maximum limit of $5 million Federal funds available, the scope of possible flood reduction measures was necessarily limited. The Reconnaissance Report identified six plans that varied in cost from $6.8 to $17.5 million. Considering this preliminary identification of costs, analyzing larger scale measures to reduce flood damages would have added to the cost of the study, but would not have provided a feasible alternative.

A number of alternative flood damage reduction measures were developed in the feasibility study and six preliminary plans were analyzed: clearing and snagging, various types of channel modification, and bridge replacement. The Preliminary Benefit/Cost Comparison table on page 5 is a summary comparison of the proposed preliminary plans showing the benefits and costs associated with each alternative. The U.S. Army Corps of Engineers is required to determine the National Economic Development (NED) Plan, which is the plan which will provide the highest net annual benefits. Comparison shows that Plan A has the highest net annual benefits of the six plans. This is also shown visually on the graph below. Plan A was therefore chosen as the NED plan.



PRELIMINARY BENEFIT/COST COMPARISON[1]

	PLAN A	PLAN 2A	PLAN B	PLAN 2B	PLAN C	PLAN 2C
INITIAL COSTS						
Construction	7,031,000	7,465,000	7,794,000	7,891,000	11,143,000	10,661,000
Lands & Damages	2,068,000	5,302,000	2,068,000	5,302,000	2,068,000	5,302,800
Planning, Engineering & Design	562,000	597,000	623,500	631,000	891,000	853,000
Construction Management	492,000	523,000	545,600	553,000	780,000	746,000
SUBTOTAL	10,153,000	13,887,000	11,031,100	14,377,000	14,882,000	17,562,800
Interest during Construction	817,800	1,118,600	888,400	1,158,100	1,198,700	1,414,700
TOTAL INVESTMENT COST	10,970,800	15,005,600	11,919,500	15,535,100	16,080,700	18,977,500
ANNUAL COSTS						
Annualized Investment Cost	896,800	1,226,600	974,300	1,269,900	1,314,500	1,551,300
Annual O,M,R,R & R	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL ANNUAL COST	896,800	1,226,600	974,300	1,269,900	1,314,500	1,551,300
ANNUAL BENEFITS	3,860,700	3,825,500	3,910,100	3,910,900	4,142,900	4,162,500
NET ANNUAL BENEFITS	2,964,100	2,598,900	2,935,800	2,641,000	2,828,400	2,611,200
BENEFIT-TO-COST RATIO	4.3	3.1	4.0	3.1	3.2	2.7

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[1] 1993 Price Levels

PROPOSED PLAN

The Draft Detailed Project Report recommends a plan for construction of channel improvements on a 15,500-foot reach of the East Branch of the Cedar Hammock Drainage Canal. The plan reduces flooding in the study area by enlarging the channel section, therefore, lowering potential flood levels. The recommended plan, Plan A, includes the following channel improvements:

Manatee Avenue Bridge to 17th Avenue West - starting upstream of the Manatee Avenue Bridge modifications will include channel clearing only,

17th Avenue West to 21st Avenue West - construction of a trapezoidal grass-lined channel with 1V:2H side slopes, a 26-foot-bottom width and top width varying from 40 to 80-feet-wide. An additional 10 feet on each side will be needed for operation and maintenance purposes, requiring a total acquisition of 30 feet on each side of the existing top of bank,

21st Avenue West to 14th Street West (B.R. 41) - construction of a vertical sheet pile wall with a 40 foot bottom width. The sheet pile wall will be anchored with underground steel tie-back rods.

14th Street West (B.R. 41) to 44th Avenue West (Cortez Road) Bridge - resume construction of the trapezoidal grass-lined channel upstream of B.R. 41 (14th Street West) to just downstream of the 44th Avenue West (Cortez Road) Bridge, where project improvements terminate.

The recommended plan of improvements does not call for modifications to any bridges. However, the proposed channel design would modify the approach and getaway at numerous bridges. The recommended plan also does not propose deepening the channel.

The plan investigated provides approximately a 10-year flood protection and has a favorable benefit-cost ratio. The estimated project costs are $13.8 million. The Federal share would be $4.6 million and the Non-Federal share would be $9.2 million.

Plates 3 and 4 show the flooded area for the 10-year storm with the project constructed. Table A-2 provides the water surface elevation to show the depth of flooding. Flood damages with the project are shown in the following table. The damages for a 10-year storm are estimated to be $11.3 million, affecting 1,760 structures. For the 10-year storm, this is a reduction in flood damages of $10.9 million and 924 structures. Damage reduction may involve not only less homes being flooded, but also when there is less flooding in a home.

DAMAGES AND BENEFITS
($ in thousands)
WITH PROJECT CONDITIONS

	2-YEAR	5-YEAR	10-YEAR	25-YEAR	50-YEAR	100-YEAR	SPF
Number of Structures Susceptible to Flooding	3	177	1,760	1,944	2,806	3,285	5,038
Average Annual Damages	$18	$120	$11,335	$14,109	$19,853	$27,976	$127,058
Average Annual Benefits[2]	**$23**	**$4,368**	**$10,919**	**$16,896**	**$31,454**	**$45,562**	**$55,163**

The proposed plan would reduce annual average flood damages to $2.86 millon, a reduction of 57.4% of without project damages. This plan would result in average annual benefits of $3.86 million.

CURRENT STATUS

Coordination with the U.S. Fish and Wildlife Service, Florida Department of Environmental Protection, Southwest Florida Water Management District and other agencies has been conducted throughout the study. Coordination required by the National Environmental Protection Act was completed in December 1994.

SCHEDULE OF REMAINING WORK

The Final Report incorporating all comments received is scheduled to be completed in January 1995. The Report will be reviewed by Corps of Engineers higher authority and, if approved, funds to prepare the Plans and Specifications could be available by March 1995. Once Plans and Specifications have been initiated, it is estimated that acquisition of the Water Quality Certification and necessary Real Estate, receipt of Federal and non-Federal funds, and awarding of the construction contract would take three years.

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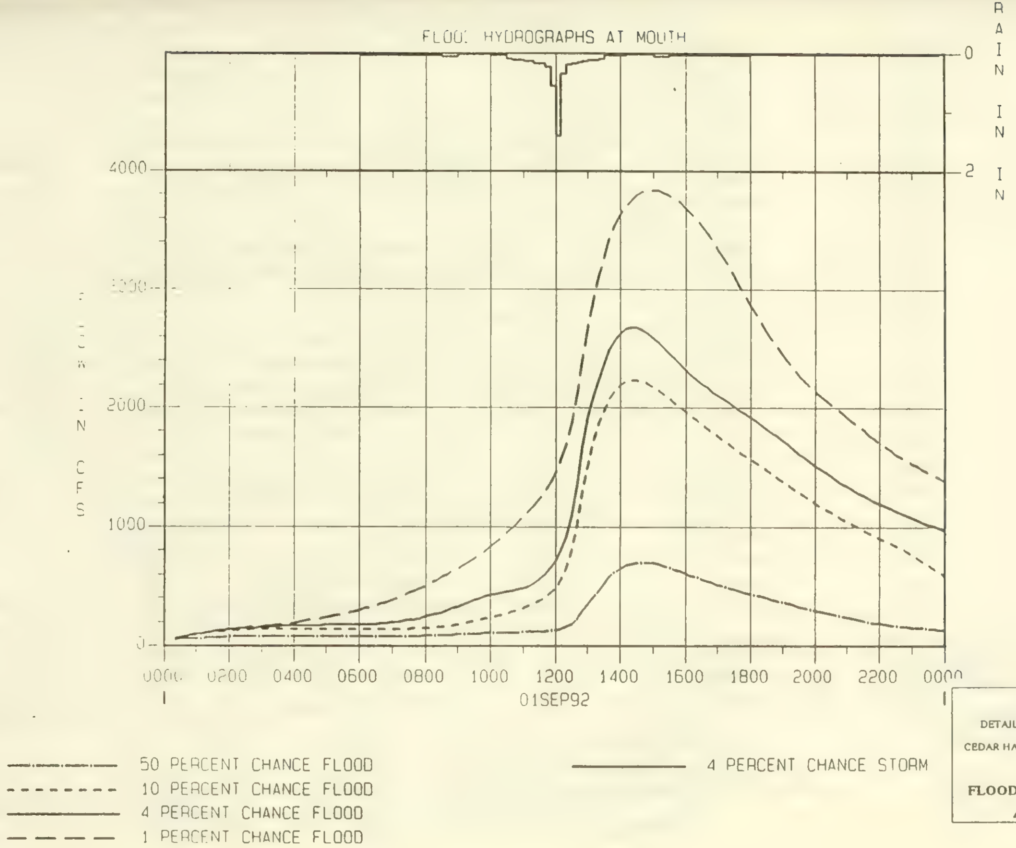
[2] Average Annual Benefits are calculated by subtracting Average Annual Damages for with project conditions from Average Annual Damages for the without project conditions shown in the table on page 3

TABLE A-1

ANNUAL MAXIMUM ONE-DAY RAINFALL AT BRADENTON GAGE

CEDAR HAMMOCK (WARES CREEK)

YEAR	DATE	RAINFALL INCHES	YEAR	DATE	RAINFALL INCHES
1913	August 25	4.55	1954	May 31	4.24
1914	December 8	3.05	1955	June 19	3.60
1915	January 11	3.46	1956	July 29	2.13
1916	April 8	3.41	1957	September 20	2.75
1917	August 21	2.75	1958	July 11	3.26
1918	October 4	3.01	1959	June 18	6.20
1919	July 21	4.00	1960	July 29	5.74
1920	November 11	4.70	1961	September 13	2.83
1921	July 6	5.40	1962	September 21	7.37
1922	June 28	4.16	1963	June 24	5.35
1923	January 3	2.78	1964	June 30	3.75
1924	September 27	3.50	1965	June 8	2.68
1925	July 14	2.88	1966	January 22	2.68
1926	September 19	8.00	1967	June 18	4.78
1927	June 22	3.27	1968	June 4	5.84
1928	August 14	5.90	1969	June 14	4.54
1929	February 6	3.65	1970	August 9	3.82
1930	June 8	2.86	1971	August 14	2.94
1931	April 15	2.75	1972	June 18	4.39
1932	August 30	3.43	1973	July 23	2.39
1933	June 22	3.46	1974	June 27	4.68
1934	May 18	4.02	1975	June 22	3.23
1935	September 4	5.82	1976	May 16	4.83
1936	July 30	4.16	1977	August 23	4.14
1937	August 1	3.55	1978	May 5	3.69
1938	October 14	6.17	1979	September 21	3.05
1939	July 7	4.82	1980	July 3	2.27
1940	August 3	4.05	1981	August 26	3.84
1941	November 14	3.18	1982	June 18	3.91
1942	February 24	4.66	1983	October 16	2.93
1943	June 26	7.48	1984	July 16	2.77
1944	October 19	2.75	1985	March 22	2.26
1945	June 23	10.80	1986	July 13	2.86
1946	October 7	2.61	1987	March 27	3.41
1947	February 13	3.71	1988	September 7	5.84
1948	September 27	3.92	1989	August 25	2.88
1949	August 1	5.90	1990	October 11	5.80
1950	July 9	6.03	1991	May 20	3.37
1951	April 7	5.46	1992	June 26	7.67
1952	October 8	5.40	1993	October 16	2.91
1953	November 25	6.65			



SECTION 205
DETAILED PROJECT REPORT
CEDAR HAMMOCK (WARES CREEK)

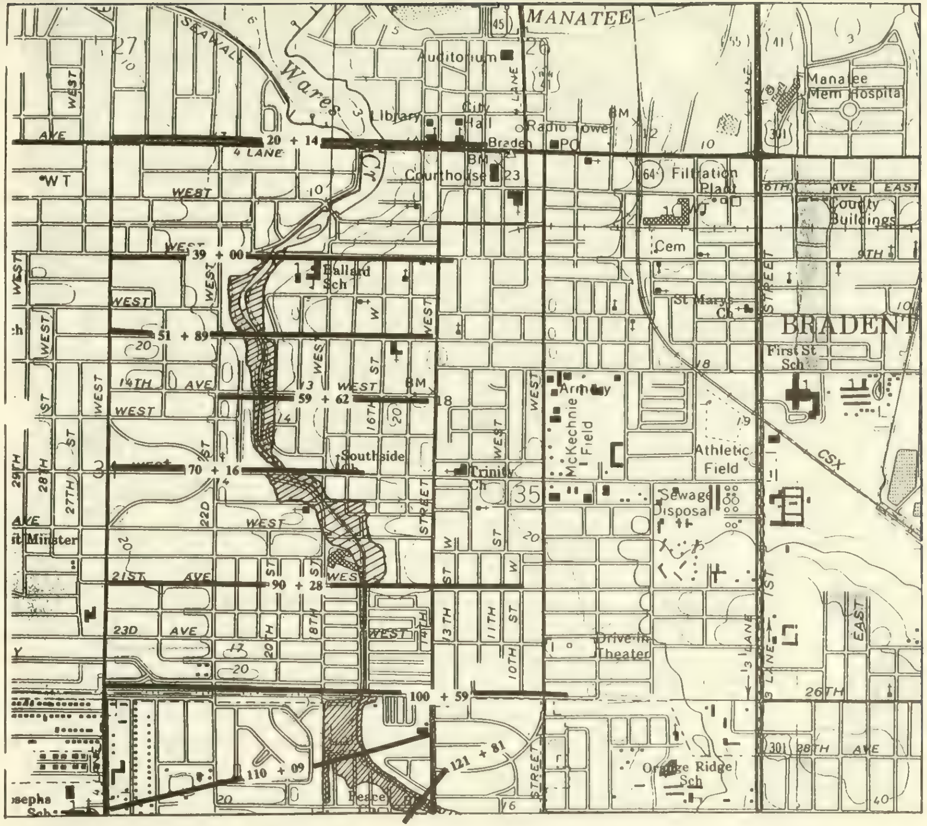
FLOOD HYDROGRAPHS AT MOUTH

FIGURE A-4

TABLE A-2

Cedar Hammock (Wares Creek) DPR
Flood Elevations, Ft. N.G.V.D.
10-Year Frequency

		Water Surface Elevations		
Station	Location	Existing Conditions	With Project Conditions	Difference
3+82	D/S Edge of Modelled Area	1.5	1.5	0.0
20+14	Manatee Ave. Bridge	1.92	1.92	0.0
29+46	7th Ave. W. Bridge	2.94	2.85	0.09
39+00	9th Ave. W. Bridge	5.59	5.29	0.3
51+89		8.06	7.4	0.66
52+58	12th Ave. W. Bridge	8.8	8.22	0.58
59+62	14th Ave. W. Bridge	9.4	8.99	0.41
70+16		11.16	10.43	0.73
78+36	18th Ave. W. Bridge	13.2	12.77	0.43
84+31	19th Ave. W. Bridge	13.65	13.16	0.49
90+28	21st Ave. W. Bridge	14.57	13.63	0.94
95+36	23rd Ave. W. Bridge	15.65	14.60	1.05
100+59	26th Ave. W. Bridge	16.38	14.85	1.53
110+09		16.72	15.08	1.64
120+00		17.08	15.03	2.05
121+81	Triple Culvert @ 14 St Bridge	17.19	15.62	1.57
139+70	Concrete Foot Bridge near 9th St	17.48	16.44	1.04
153+45		17.97	16.99	0.98
159+70		17.99	17.02	0.97
170+20	Triple Culvert @ Cortez Rd Br	18.04	17.07	0.97
173+28		18.16	17.20	0.96
184+80		18.17	17.21	0.96
195+91		18.22	17.63	0.59
209+16		18.24	17.68	0.56
221+98		18.34	17.96	0.38
228+55		18.36	17.98	0.38

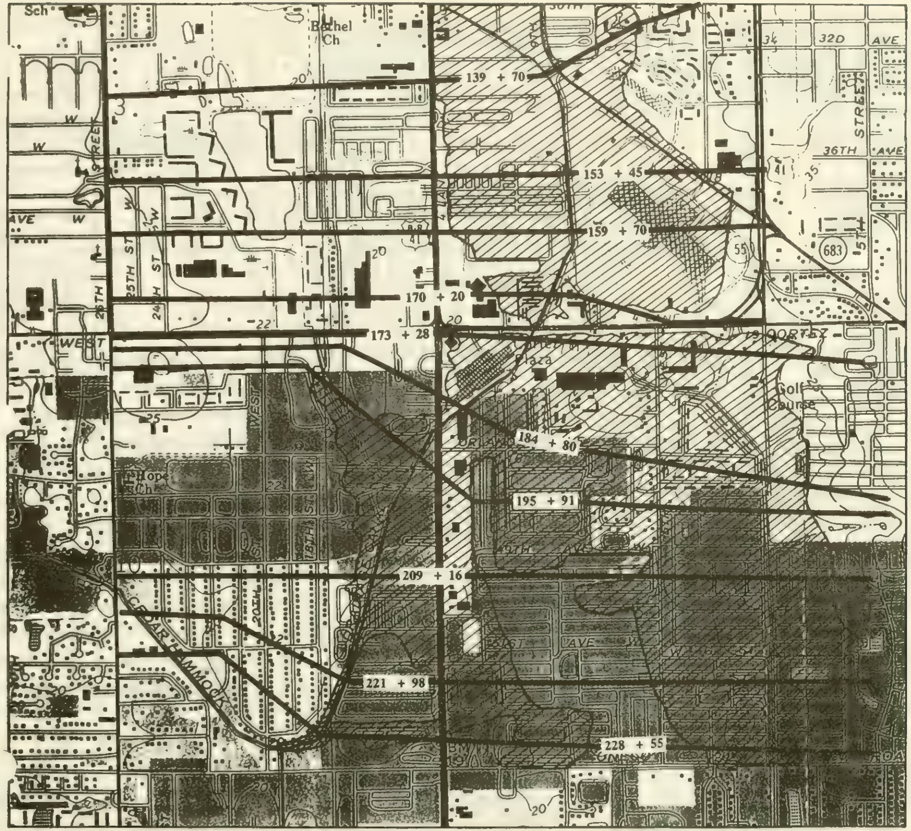


SECTION 205
DETAILED PROJECT REPORT
CEDAR HAMMOCK (WARES CREEK)
MANATEE COUNTY, FL

10-YEAR STORM FLOODED AREA
EXISTING CONDITIONS
SHEET 1 OF 2

JACKSONVILLE DISTRICT
U.S. ARMY CORPS OF ENGINEERS
JACKSONVILLE, FLORIDA

PLATE 1

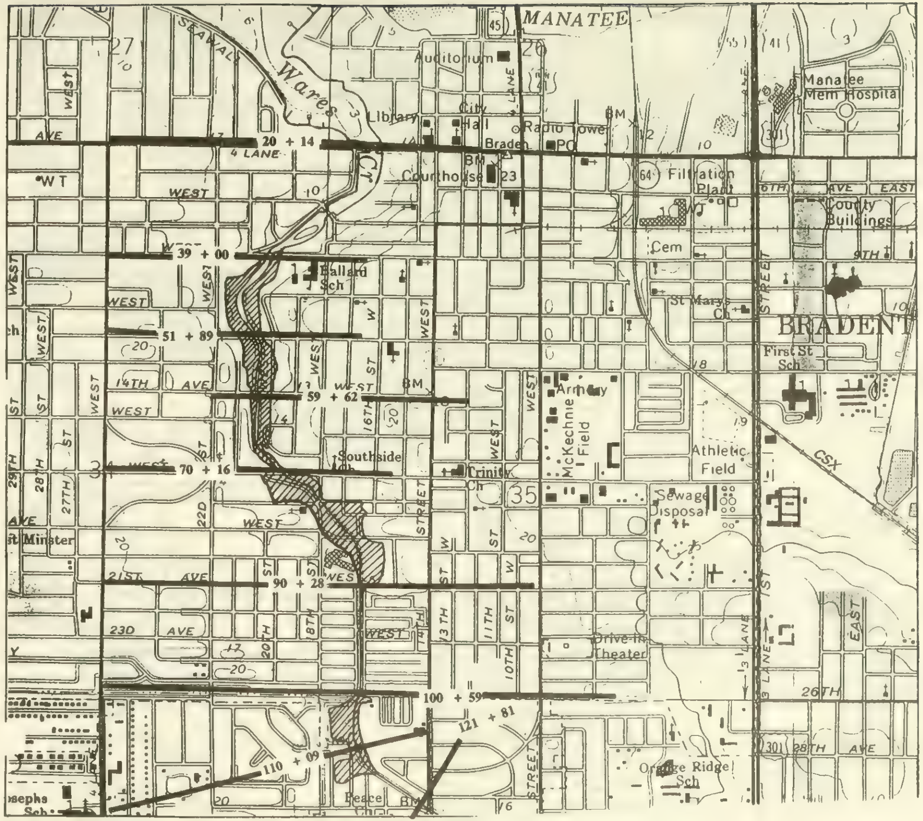


SECTION 205
DETAILED PROJECT REPORT
CEDAR HAMMOCK (WARES CREEK)
MANATEE COUNTY, FL

10-YEAR STORM FLOODED AREA
EXISTING CONDITIONS
SHEET 2 OF 2

JACKSONVILLE DISTRICT
U.S. ARMY CORPS OF ENGINEERS
JACKSONVILLE, FLORIDA

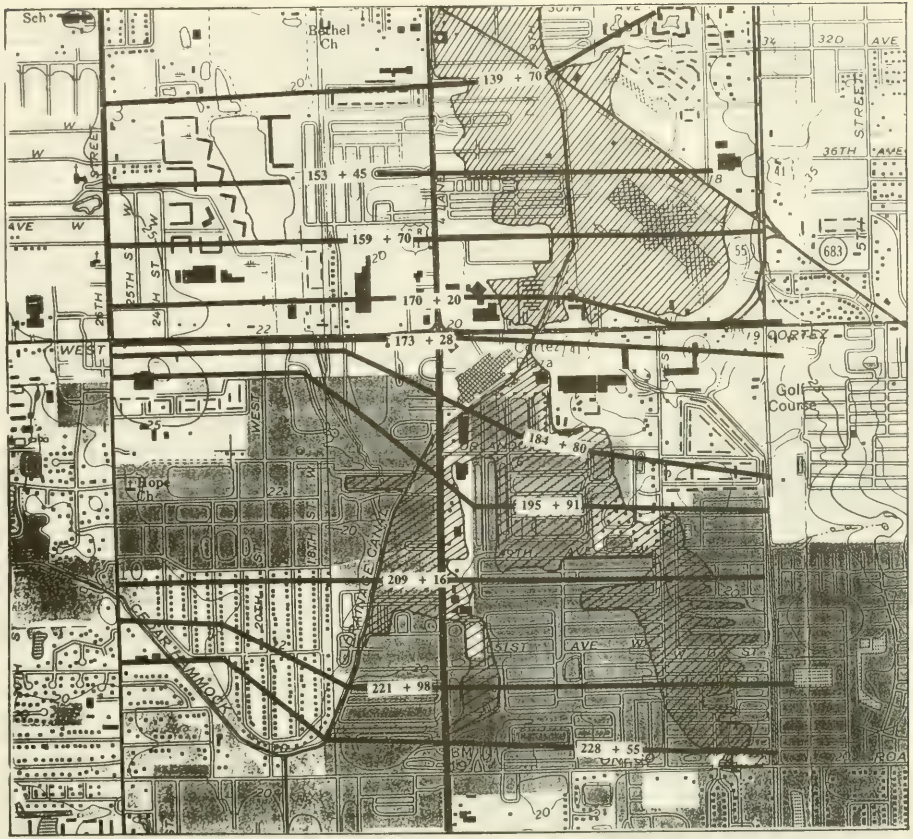
PLATE 2



SECTION 205
DETAILED PROJECT REPORT
CEDAR HAMMOCK (WARES CREEK)
MANATEE COUNTY, FL

10-YEAR STORM FLOODED AREA
WITH PROJECT
SHEET 1 OF 2

JACKSONVILLE DISTRICT
U.S ARMY CORPS OF ENGINEERS



SECTION 205
DETAILED PROJECT REPORT
CEDAR HAMMOCK (WARES CREEK)
MANATEE COUNTY, FL

10-YEAR STORM FLOODED AREA
WITH PROJECT
SHEET 2 OF 2

JACKSONVILLE DISTRICT
U.S. ARMY CORPS OF ENGINEERS
JACKSONVILLE, FLORIDA

PLATE 4

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO
ATTENTION OF

FINDING OF NO SIGNIFICANT IMPACT
PROPOSED FLOOD REDUCTION MEASURES
CEDAR HAMMOCK EAST DRAINAGE CANAL AND WARES CREEK
BRADENTON, FLORIDA

I have reviewed the Environmental Assessment (EA) for the proposed action. Based on information analyzed in the EA, reflecting pertinent information obtained from other agencies and special interest groups having jurisdiction by law and/or special expertise, I conclude that the proposed action will have no significant impact on the quality of the human environment. Reasons for this conclusion are, in summary:

1. The study area is densely urban. It encompasses parts of the city of Bradenton and adjoining Manatee County. Significant or potentially significant cultural resources have been identified in the general study area; however, none will be affected by the proposed works. The State Historic Preservation Officer has concurred with this determination.

2. Fish and Wildlife habitats on the project are minimal due to the urban nature of the environment and current poor stream water quality. A Coordination Act Report provided by the U.S. Fish and Wildlife Service (FWS) did not identify significant fish or wildlife habitats requiring mitigation actions. The Florida Game and Freshwater Fish Commission concurred with the findings of FWS.

3. As a result of informal consultation under Section 7 of the U.S. Endangered Species Act, no threatened or endangered species or their habitat were identified on project lands according to the report cited in the preceding paragraph. Therefore, the project is in compliance with the Act.

4. Hydrologic and storm-water modeling performed as required by the Florida Department of Environmental Protection (DEP) indicated that construction of the proposed improvements would not lead to deterioration of surface water quality in lower Wares Creek nor increase the pollutant load to the Manatee River.

5. The proposed project has been determined to be consistent with the Florida Coastal Management Program.

6. Excess dredged materials will be deposited in the Manatee County landfill. There will be no discharge of dredged materials to waters of the United States.

7. A level 1 survey did not identify any areas likely to contain hazardous, toxic or radiologic waste along the proposed project area.

In consideration of the information summarized, I find that the proposed actions described in the Report and Environmental Assessment will not significantly affect the human environment and do not require the preparation and circulation of an Environmental Impact Statement.

13 APR 95
Date

TERRY L. RICE
Colonel, Corps of Engineers
Commanding

ENVIRONMENTAL ASSESSMENT

1.00 SUMMARY. This Environmental Assessment has been prepared by the Jacksonville District, U.S. Army Corps of Engineers (Corps) to document feasibility phase investigations of flood damage reduction measures along the east branch of Cedar Hammock drainage canal and Wares Creek, in the City of Bradenton and unincorporated Manatee County, Florida. Authorization for the study is contained in Section 205 of the 1948 Flood Control Act, as amended. Co-sponsor of the project is Manatee County. Flood damage reduction measures recommended are shown on Figures 1 and 2 and Plate 11. Proposed improvements would begin near the mouth of Wares Creek, on the south side of Manatee Avenue (S.R. 64), in Bradenton, and end on the north side of Cortez Road (44th Avenue West). Recommended improvements include the following: (1) snagging and clearing along lower Wares Creek, beginning south of the Manatee Avenue Bridge and extending upstream to 17th Avenue West, with some minor stream realignment recommended around the 9th Avenue West bridge; all of the snagging and clearing work to be accomplished within the existing channel; (2) Channel improvements beginning at 17th Avenue West and extending upstream to the north side of 21st Avenue West, consisting of a trapezoidal earthen channel with a 26 foot bottom width, 2 horizontal on 1 vertical side slopes and variable top width; (3) Channel improvements beginning at the south side of 21st Avenue West and extending through 30th Avenue West, ending at the 14th Street West intersection, consisting of a 40 foot wide, vertical walled, sheet pile lined channel; (4) Beginning at the intersection of 30th Avenue West and 14th Street West, extending upstream to the north side of Cortez Road (44th Avenue West) channel improvements consisting of a trapezoidal, earthen walled channel with 2 horizontal on 1 vertical side slopes and a 26 foot bottom width. Clearing and snagging and the channel improvements will generate about 100,000 cubic yards of excavated material, which will be removed to an upland disposal site (Manatee County landfill). An evaluation was made of the existing environmental resources and the probable environmental effects of implementing the alternatives discussed in the Detailed Project Report (DPR). Information on natural and man-made resources of the study area was obtained from existing sources, scoping responses from State and Federal resource agencies, studies performed under contract to the Corps, and provided by cooperating agencies and the co-sponsor. After consultation with the State Historic Preservation Officer, the U.S. Fish and Wildlife Service, Southwest Florida Water Management District and interested resource agencies and parties, the Corps has determined that no significant impacts to natural or man-made resources would result from implementation of the recommended plan. A preliminary Finding of No Significant Impact (FONSI) is attached to this Environmental Assessment (EA).

2.00 INTRODUCTION: THE PURPOSE OF AND NEED FOR THE PROPOSED ACTION. Cedar Hammock east branch and Wares Creek are upper and lower reaches of the same stream. Wares Creek is the name attached to the downstream reach, which is mostly within the city limits of Bradenton. The Cedar Hammock part of the stream is a partly hardened urban drainage waterway that empties into Wares Creek, which in turn nters the Manatee River in Bradenton. The entire stream system covers about 6 square miles and drains densely populated residential and commercial areas of Manatee County. Residential lots crowd particularly close along both banks of Wares Creek (between 9th Avenue West and 26th Avenue West). Two large shopping malls near the upstream end of the study area (Cortez Mall and De Soto Mall) contribute significant amounts of runoff from hardened roofs and parking areas.. This urban drainage basin was mostly built up prior to current State and Water Management District regulations requiring retention of storm runoff, and lacks adequate storm water retention areas. Minor flooding occurs frequently all along the lower canal and Creek, and major rainfall events such as the well-documented flood of 1988 cause extensive property damage and disruption of traffic and normal business activities along Highways (Business) 41 and US 301. Refer to the Main Report and Appendix A (Hydrology and Hydraulic Analysis) for documentation of prior floods.

3.00 PROPOSED ACTION AND ALTERNATIVES ANALYSIS. The proposed plan (Plate 11) is a combination of clearing and snagging (along most of Wares Creek) and channel widening and other improvements (between 17th Avenue West and Cortez Road). Improvements are designed to reduce flood stages for all flood events, with a bank-full capacity greater than the 5 year flood event for most of the study reach.

Proposed improvements would begin near the mouth of Wares Creek, on the south side of Manatee Avenue (S.R. 64), in Bradenton, and end on the north side of Cortez Road (44th Avenue West). Recommended improvements include the following: (1) snagging and learing along lower Wares Creek, beginning at the South side of the Manatee Avenue idge and extending upstream to 17th Avenue West, with some minor stream realignment recommended around the 9th Avenue bridge; all of the snagging and clearing work would be accomplished within the existing channel; (2) Channel improvements beginning at 17th Avenue West and extending upstream to the north side of 21st Avenue West, consisting of a trapezoidal earthen channel with a 26 foot bottom width, 2H on 1V side slopes and variable top width; (3) Channel improvements beginning at the south side of 21st Avenue West and extending through 30th Avenue West, ending at the 14th Street West intersection, consisting of a 40 foot wide, vertical walled, sheet pile lined channel; (4) Beginning at the intersection of 30th Avenue West and 14th Street West, extending upstream to the north side of Cortez Road (44th Avenue West) channel improvements consisting of a trapezoidal, earthen walled channel with 2H on 1V side slopes and a 26 foot bottom width. All materials excavated would be removed and trucked to an off site upland disposal area, the Manatee County landfill.

Other alternative courses of action evaluated but not recommended as effective include no action, upstream flood retention, re-routing of one tributary, various combinations of downstream bridge removals, evacuation of residents, further widening and/or deepening of the Cedar Hammock east drainage system, and other types of flood protection, including flood-proofing. Removal of a larger number of residences would not be cost-effective, due to the extremely dense development of surrounding neighborhoods and prevailing high real estate values in the Bradenton Metropolitan area. While upstream retention might have offered an effective solution many years ago, at present the parts of the watershed most in need of retention areas are built out into medium or high density residential and commercial property and a diligent search during the feasibility phase of the study did not identify sufficient undeveloped lands to retain a significant proportion of the runoff in most sub-watersheds. The vacant lot that had been identified in the Reconnaissance Report (located near the head of the western tributary of the Cedar Hammock East Branch) would not have contributed significantly to flood reduction, since this sub-watershed already has sufficient retention areas. Re-routing of part of the western tributary was likewise evaluated and not recommended, since it was found to worsen flood stages upstream along the eastern tributary, where flood problems were most severe. Greater widening of the east sub-tributary of the Cedar Hammock Canal was considered but not recommended because the cost would have far exceeded Federal cost limitations under the Section 205 (Continuing Authorities) program. Raising of one or more downstream bridges would have provided additional flood relief, but, as in the case of greater channel widening, the additional costs would have been borne by the non-Federal partner, who opted not to endorse this action. Likewise, flood-proofing structures by raising the general ground level would be enormously costly at this late stage in watershed development. It was determined that the proposed plan, in combination with all applicable non-structural alternatives, including a program of vigorous and regular channel cleaning and debris removal, was the only effective medium-term solution to the flooding and water quality problems in the study area.

4.00 AFFECTED ENVIRONMENT. The watershed of Cedar Hammock East Branch/Wares Creek covers about 6 square miles. Topography is nearly flat in the western part of the watershed and steeper in the eastern tributary branch. The lower watershed includes mostly single family residential structures, including a large number of manufactured homes (mobile homes). Residents of a widespread area are affected by the largest flood events. Homes, schools, churches, commercial and industrial properties and urban infrastructure elements, including sanitary sewers, are affected. Under existing conditions even a 50% ("2 year") recurrence flood causes significant interruption of commerce and daily life.

4.01 **Air quality and Noise.** In general, air quality in the Bradenton area and the rest of Manatee County is good. There are no non-attainment areas within the County. The largest industrial emitters in the County are a large power plant, a phosphate mining operation and a citrus processing plant, all located in the eastern part of the County at a considerable distance from the study reach. The urban environment is fairly noisy in the daytime, especially near Manatee Avenue and along the Cedar Hammock East Branch reach that runs close to Business 41.

4.02 **Water quality.** There are no permanent water quality stations along Wares Creek or Cedar Hammock East Branch. Water quality data for this part of the Cedar Hammock basin is taken sporadically and little published information is available. Except during high rainfall periods the predominant source of flow is groundwater exfiltration and the stream supports small fish and invertebrates as well as the wading birds that feed on them (refer to aragraphs 4.05 and 4.06). Due to the impervious nature of a substantial part of the watershed and the lack of on-site retention, urban and primarily residential storm runoff arrives at the stream with most of its conventional pollutant load in solution or suspension. The stream does not appear to be affected adversely by existing storm water flow as it supports healthy populations of biota as mentioned above.

4.03 **Cultural resources.** Initial coordination with the Florida Division of Historical Resources indicated that no known archeological or historic properties were recorded in the project area. In letters dated January 19, 1989 and March 28, 1989 the Florida State Historic Preservation Officer recommended that a cultural resources survey be completed to locate and assess the significance of historic properties that could be affected by the proposed project. A cultural resources survey was conducted by historic preservation staff of the U.S. Army Corps of Engineers on 9-10 March 1992. The survey included archival research and a surface and subsurface inspection of the project area, including alternatives that would affect bridges and residences. At the Manatee County Historical Library investigators examined ca. 1851 military maps of the project area, 1915 Sanborn Insurance Maps, and a series of aerial photos from 1940, 1951, and 1969. During the inspection of the project area investigators examined potentially significant historic features that were identified from the maps and aerial photos, examined exposed ground surfaces and excavated judgmentally placed shovel tests searching for intact archeological deposits. Three bridges crossing Wares Creek at 7th; 9th, and 12th Avenues and several residential structures north of 30th Avenue may be historically significant and eligible for inclusion on the National Register of Historic Places. No potentially significant architectural features were identified south of 30th venue, and no significant archeological sites were located within any part of the project area.

4.04 **Aesthetic resources.** Aesthetic resources are defined as "those natural and cultural features of the environment that elicit a pleasurable response" in the observer, most notably from the predominantly visual sense. Consequently, "aesthetic resources are commonly referred to as visual resources, ... features which can potentially be seen."

The existing aesthetic resources within the study area are considered to contribute important visual relief to the immediate surroundings and neighborhood character throughout the proposed project. Visual aesthetics of the area surrounding the stream are typical of older single-family residential and small scale commercial neighborhoods, with rather closely-spaced houses, mature landscape trees, many small residential neighborhoods and relatively large expanses of concrete and asphalt in relation to green spaces. The general exception is constituted by the banks of Wares Creek. Somewhat more "natural" creek settings are immediately visible from the many small bridges that cross the creek; examples would be bridges at 9th, 12th, and 14th Avenues. The creek is almost completely shaded by mature tree canopies from 14th to 21st Avenue; the tree cover provides a relaxing and cooling experience. From 21st to 23rd Avenues the project study area possesses aesthetic value because of the mature native trees on maintained grassed banks. These trees provide the dense residential development with a visual and auditory screen, color, and cooling relief from the otherwise flat urbanized area. Upstream of the fire station bridge, a row of mature shade trees screen a residential development from the heavy traffic of Business 41. Channel areas to the south possess patchy mature tree areas with lower aesthetic value due to washed out banks, unmowed wild native perennial grasses, cross bracing, and dense commercial development along Highway 301.

4.05 Wildlife resources. Field visits and consultation with the U.S. Fish and Wildlife Service Vero Beach Field office (FWS) did not lead to identification of any critical populations or habitat resources in the area of the project. In response to early scoping for environmental issues, the State of Florida Game and Freshwater Fish Commission (FGFWFC) identified the following Endangered (E), Threatened (T), or State Species of Special Concern (SSC) as potentially present in the project area: West Indian manatee (E), wood stork (E) bald eagle (T), southeastern American kestrel (T), eastern indigo snake (T), Sherman's fox squirrel (SSC), American oystercatcher (SSC), snowy egret (SSC), tricolored heron (SSC), reddish egret (SSC), brown pelican (SSC), gopher tortoise (SSC), American alligator (SSC) and common snook (SSC). However, studies performed by U.S. FWS under the Fish and Wildlife Coordination Act (Coordination Act Report) did not find significant populations or even habitat suitable for these species in the study reach. Wading birds, including the snowy egret and wood stork, may sporadically visit the stream and feed on its fish and invertebrate fauna, but no adequate reproductive habitat occurs within the study reach, due to the dense urban surroundings and the inevitable presence of feral and domestic animal predators. Manatee habitat does exist at the mouth of Wares creek with the Manatee River, where deeper water is available; however, the study reach is too shallow to provide habitat for manatee, mature snook, or mature alligators. In addition to the above species, FWS and FGFWFC identified the Florida Scrub Jay (E) as potentially present in the undeveloped brush surrounding the upstream detention area along the west tributary to Cedar Hammock East Branch. However, as part of a Planning Aid study undertaken during the project's Reconnaissance phase, this area was inspected by Service biologists with negative results. Both FWS reports, which are reproduced in the Coordination Appendix, conclude that none of the above listed species are regularly present in the study reach, and no significant habitat for these species is present.

Birds are the most notable wildlife resource in the drainage basin. All common species of waders probably visit the stream; in addition to the species listed above, white ibis and little blue heron were observed feeding along the stream during biologists' site visits. A midstream shoal island just south of the Manatee Avenue bridge supports a young mixed stand of black and white mangroves. These shrubby trees were frozen to ground level in December, 1989, but have recovered by vigorous sprouting in subsequent years. During initial project planning the Corps was requested to consider removal of the shoal, but hydraulic studies showed that it does not contribute to upstream flooding, and its removal is not part of the presently proposed project. This small island is a significant refuge and possibly a night roost for wading birds, including tricolored, great and little blue herons. Its isolation in the middle of the stream makes it inaccessible to some urban predators, most notably domestic cats, while the waders find abundant food resources in the small fish and invertebrates that inhabit the stream.

4.06 **Fish resources.** Except in the estuarine reach (generally, downstream of the 9th Avenue bridge in Bradenton), the stream is too shallow and narrow, and its water levels fluctuate too abruptly in response to rainfall-generated runoff, to support a great diversity of aquatic life. The Planning Aid Report (PAR) prepared by FWS lists mosquito fish, soft shelled turtles and other turtles as dominant faunal elements. Other freshwater fauna include diving beetles, insect larvae and small snails. The estuary supports small or juvenile individuals of mullet, needlefish, sand perch, sheepshead and killifish, and may provide some limited developmental habitat for juveniles of other estuarine fish. The fish fauna is essentially washed out of the watershed into the Manatee River during major flood events, re-establishing itself during intervening normal flow periods. Due to regular bank clearing by the County and city public works crews, creek bank habitat is moderately to severely limited.

4.07 **Hazardous, toxic and radiologic waste.** A preliminary assessment was conducted in March 1994 to address the existence or potential for occurrence of HTW contamination on lands, including structures and submerged lands, in the Cedar Hammock/Wares Creek study area. The assessment included a project review, site literature/document review, and site reconnaissance. During the reconnaissance, the following potential indicators were looked for: Landfills, dumps, disposal areas; burning or burned areas; aboveground or underground tanks; vats, lagoons, ponds or basin sludge pits; excavations (pits, quarries or borrow areas); containers of unidentified substances; spills, seepage, slicks; odors; dead or stressed vegetation (brown, spotted curled or withered leaves); water treatment plants; wells, ditches, trenches, depressions; transport areas (i.e., boat yards, harbors, rail yards, airports, truck terminals); abandoned buildings. The preliminary assessment report found no indicators of toxic or radiologic waste.

5.00 ENVIRONMENTAL EFFECTS OF THE PROPOSED ACTION.

5.01 **Unavoidable adverse effects.** Clearing and snagging at the mouth of Wares Creek will cause temporary adverse effects on wildlife habitat and fish resources due to noise of heavy machinery, disturbance of the substrate and temporary increases in water turbidity due to excavation. However, creek bottom sediments are fairly coarse (mostly sand-size) and natural settling will quickly restore stream clarity. Furthermore, stabilization of the bank slope will decrease future sedimentation due to rainstorm events. The only permanent wetland that will be affected on project lands is the stream bottom itself. The stream cross-sectional area will be widened over its present dimensions, providing additional substrate for in-stream organisms during low flow periods. However, as at present, extreme flood events will essentially wipe out attached benthic vegetation and flush out invertebrate and fish fauna, which will then gradually re-establish when the flood has abated. The mangrove-colonized sand island downstream of the 7th Avenue Bridge, once proposed for dredging by the co-sponsor, exerts no influence on upstream flood levels, and is not proposed for removal. Since no significant wetlands resources will be affected, no specific wetland mitigation measures are proposed.

Some mature or specimen size shade trees will be removed along the channel right-of-way. These trees belong to common native or exotic species used for urban landscaping, and do not constitute significant natural resources. However, they contribute to soften the appearance of the existing channel and provide some wildlife cover. Their removal will change the appearance of the channel and reduce available shade over the water in some reaches. Tree removal will affect the visual esthetics of the project reach, and replacement plantings are recommended (refer also to Paragraph 5.09).

5.02 **Relationship between short term uses of the environment and maintenance and enhancement of long term productivity.** The human environment is already committed to long term residential use. The project discussed in this EA is designed to sustain and improve the quality of the existing human-dominated environment and increase business productivity by reducing the risk and frequency of flooding. No significant or highly productive natural habitats have been identified on the watershed in the study reach; furthermore, water quality modeling indicated that no change in the quality or contaminant levels in the receiving waters (the mouth of the creek) would be induced by project construction. Therefore, no trade-offs of long term productivity for short-term use can be identified in relation to the proposed project.

5.03 **Irreversible or irretrievable commitments of resources.** No new irreversible commitments would be made by the proposed project. No additional natural areas would be committed or converted to urban use by the proposed project. The stream reach proposed for installation of vertical sheet pile reinforced channel walls already has a vertical or near-vertical cross-section, and most of it is now bulkheaded on one or both sides with concrete. Most commitments of resources have already been made in the study area. Almost the entire stream drainage is now committed to urban residential and commercial use, and this status is unlikely to change in the foreseeable future.

5.04 **Relationship between the proposed action and Federal, State and local land use policies, plans and controls.** The proposed flood control project is consistent with improvements recommended in prior flood control studies performed for Manatee County and the City of Bradenton, although it is smaller in scope than many prior proposals, since it does not include bridge removal or rerouting of the western tributary of Cedar Hammock East Branch. During plan formulation a number of potential sites for additional storm water retention were identified, but these sites were determined to offer inadequate capacity to significantly reduce flooding or contaminant loading, while at the same time greatly increasing project cost. Bridge removal options were considered but not recommended due to their extremely high cost in relation to the flood reduction benefits they potentially would have generated. Rerouting of the western East Branch tributary was dropped from further onsideration when hydraulic studies indicated that this alternative would actually worsen flooding conditions upstream.

The proposed project has also been evaluated for consistency with the Florida Coastal Zone Program and determined to be consistent. It would not cause adverse impacts on water quality or significant marine or estuarine resources; it would contribute to reduce sedimentation of lower Wares Creek, by providing armoring for those sections of the stream that would experience high water velocities, while providing a grass-lined bank with stable side slopes for the rest of the project reach. Relationship between the proposed action and Federal, State and local land use policies, plans and controls.

5.05 **Effects on community growth, cohesion and the displacement of people and businesses.** An estimated 11 mobile homes, located in the Bradenton Trailer Park, would need to be removed in order to allow staging and permanent maintenance access to the vertical-walled section of Cedar Hammock. No other residences or businesses would be displaced. Clearing and grubbing along the Wares Creek segment will be accomplished by placing equipment within the banks, thereby avoiding unnecessary takings of or disturbance to private properties. Access and permanent right-of-way easements have been minimized there as well as throughout the rest of the project. There will be no other permanent effects on community cohesion. No businesses would be displaced. Since the communities surrounding the study reach are already densely developed, and the purpose of the recommended plan was to avoid unnecessary and costly taking of properties along the stream, implementation of the plan, while it would not stimulate new growth, will not iterfere with existing infrastructure, buildings or commerce.

5.06 **Air quality and noise effects.** Some temporary local increase in particulate and hydrocarbon emissions are expected while the project is under construction, due to the movement of heavy equipment (dump trucks) through the neighborhood to the county landfill. However, all applicable air quality regulations will be implemented to minimize these effects. Once the project is built air quality will be the same as under without-project conditions. The operation of construction machinery will create additional noise that is likely to disturb some residents living immediately adjacent to the creek during daytime hours. All construction activities would be accomplished during normal working hours, and appropriate noise-suppression equipment would be installed on construction vehicles. The noise environment of the study reach would return to normal once the project is built.

5.07 **Water quality effects.** The Florida Department of Environmental Protection (DEP) and the Southwest Florida Water Management District (SWFWMD) recommended a modeling study of storm water runoff under with-and-without project conditions, to determine if the proposed improvements would worsen water quality over existing conditions at the downstream end of the proposed project. The model chosen was the Corps water quality model HEC-5Q. The modeling study and its results are discussed in Appendix F. The conclusion, based on the model runs, was that estimated nutrient and pollutant loads of the conventional chemical constituents modeled would be no different under with-and-without project conditions; that is, there would be no increase in loads to the receiving waters (Manatee River and eventually Tampa Bay) under design flood conditions, as compared to present conditions. This was due primarily to the short retention times in the system. There would also be no net overall increase in loading, specifically nutrients and selected other constituents, to the receiving waters. The long-term water quality effects of the project are neutral.

5.08 **Effects on cultural resources.** The three bridges crossing Wares Creek at 7th, 9th, and 12th Avenues and the residential structures north of 30th Avenue which may be eligible for inclusion on the National Register of Historic Places will not be affected by the proposed action. As documented during the cultural resources survey completed in 1992, no other potentially significant historic properties are located within the project area. Based on the results of the survey, and in compliance with the National Historic Preservation Act of 1966, as amended (PL 89-655) and its implementing regulation 36 CFR Part 800, the U.S. Army Corps of Engineers determined that this proposed project would have no effect on properties listed on or eligible for listing on the National Register of Historic Places. In a letter from the Florida State Historic Preservation Officer (SHPO) dated October 10, 1991, and in subsequent telephone conversations in April 1992, the SHPO concurred with this determination. If, during construction, it is determined that previously undiscovered historic properties will be adversely affected by the project, a mitigation plan will be developed, in consultation with the SHPO, and completed. All work will be conducted in compliance with the National Historic Preservation Act of 1966, as amended (PL 89-655) and the Archeological and Historic Preservation Act, as amended (PL 93-291).

5.09 **Aesthetic effects.** The implementation of the flood control channel improvements would clear the young native and exotic plant material from the channel and side slopes to increase capacity and flow rate in the "clearing and snagging" area. Aesthetics will be permanently affected by this project component. The trapezoidal grass-lined channel will enlarge the existing channel and take down all trees within the construction easement. Grassing channel side-slopes, where channel bank widening and reshaping will occur, is the recommended construction method for bank stabilization and aesthetic treatment. Vertical sheet pile walls beginning "just upstream of 21st Avenue" will denude the stream bed and construction easement of trees in a community park and the densely developed Bradenton Mobile Home Park. Perpetual underground tie-backs proposed for the sheet pile walls will also require tree removal for installation. Trees within the permanent project easements will be cleared to provide access for channel improvements. Staging areas have been located. Temporary impact on existing aesthetics are anticipated in these areas. However no long term adverse aesthetic impacts are anticipated to the project staging areas at this time.

The concept of an aesthetic mitigation plan is to restore the aesthetics to their pre-project condition. A tree survey is recommended as part of the plans and specifications study phase so the project can appropriately include existing trees in the final design. Project channel improvements could reflect the existing neighborhood landscape practice by "trimming up" low growing tree limbs instead of clear cutting trees in the "clearing and ıagging" phase. The trapezoidal channel work could consider bulkheading trees which fall into the "channel construction" areas. Trees within the construction easement could be preserved, not clear-cut. If low tree limbs deny construction access, they could be properly pruned to maintain natural tree form and healthy tree growth.

Manatee County has a tree replacement ordinance in the County zoning and planning code. Tree replacement is the final and ultimate endeavor which has the greatest chance to restore impacts to aesthetics altered by the channel improvement project. The local sponsor could accomplish tree planting through contracts or volunteer programs similar to the Jacksonville Gator Bowl Tree Planting Project. The benefit of native, southern wildflower seed mix would be realized with the decreased cost of mowing and the increase of aesthetics in the area. Detailed aesthetic plans and specifications will be developed once a final survey is completed. A $50,000 budget for tree replacement would adequately fund the planting of three gallon sized native trees by volunteers, based on the tree plantings at the Gator Bowl interchange in Jacksonville, Florida.

5.10 **Effects on fish and wildlife resources.** Clearing and grubbing, channel widening and bank stabilization during construction will cause temporary removal of bank slope vegetation and stream bottom vegetation, leading to mortality, disturbance or emigration of the stream fauna. After construction is complete stream bottom habitat will restore itself through re-seeding of aquatic plants and re-migration of small fish; but these organisms will continue to be (as at present) susceptible to total or partial wipe-out during heavy runoff events. emoval of trees inside the 10' wide maintenance right of way on each side of the channel will reduce shading of the channel bottom and may slightly increase daytime water temperatures in affected reaches. This factor is not expected to significantly affect overall water quality, because long stretches of the stream are already cleared of overhanging vegetation. Fish and wildlife resources of the study reach are minimal, consisting of small or transient populations of few species, mostly of small freshwater and estuarine fish and wide-ranging wading birds. Neither the Planning Aid Report (PAR) written during the reconnaissance phase of the study, nor the draft Coordination Act Report (CAR) submitted during feasibility stage studies have identified significant fish and wildlife resources. The U.S. Fish and Wildlife Service stated in the CAR that it has no objections to the project as proposed, although it did criticize the small detention areas once considered (during plan formulation), because it feared they might attract wildlife and subject it to unnecessary predation and traffic dangers.

5.11 **Effects on property values.** The proposed project would not cause severance of significant areas of property from parent tracts. Most of the proposed channel maintenance easements take small portions of the rear of tracts: "back yards". No effect is expected on the value of the remainder of affected tracts. Property values of tracts adjacent to Cedar Hammock/Wares Creek may now be lower than those of similar properties outside the flood zone (because of their susceptibility to frequent flooding). These existing residential and commercial properties adjacent to the study reach may increase in value if the project is built and flood frequency is reduced.

5.12 Cumulative effects. There are no additional Corps projects in the Wares Creek watershed. All of the presently foreseen project impacts are accounted for in this environmental document. Construction and operation of the proposed channel improvements for flood control will increase the cumulative urbanization of the watershed through further human-induced alterations of the Wares Creek channel; but this process is already so far advanced that impacts on natural resources would be minimal or insignificant.

6.00 COMMITMENTS.

Since no significant natural or cultural resources have been identified inside the proposed project reach, no mitigation commitments have been made to date. Should evidence of such resources be discovered during later stages of project development, consultation with the appropriate resource agencies would be re-initiated and appropriate mitigation would be considered and/or implemented as appropriate.

7.00 COMPLIANCE WITH ENVIRONMENTAL REQUIREMENTS.

7.01 Clean Air Act. The project will comply with the Clean Air Act. Coordination with DEP and the Manatee County Department of Public Works indicated that the project is sited inside an attainment area. The project is not expected to cause any significant new atmospheric emissions. Applicable air quality regulations will be strictly followed.

7.02 Clean Water Act. An evaluation of the water quality effects produced by proposed modifications to the waterway has been completed as required under the Clean Water Act. This evaluation is reproduced as Attachment A. The project is specified as complying with the Act. A Water Quality Certificate from the State of Florida certifying that State water quality standards will be not be exceeded will be applied for. Tampa Bay, to the north, and Sarasota Bay, to the south, are National Estuary Program sites under the Clean Water Act. None of the improvements proposed in this study would affect water quality in these estuaries.

7.03 Coastal Zone Management Act. This study and project are in compliance with the policies of the Coastal Zone Management Program of Florida. The Consistency Evaluation is found as Attachment B of this Environmental Assessment.

7.04 Endangered Species Act. No species designated under this act occur in the area. No resting, feeding or reproductive habitat of any designated species occurs in the area. Informal consultation under Section 7 of the Act was concluded during the reconnaissance phase of the study (Attachment C). The Coordination Act Report (CAR) reconfirmed the absence of Federally designated endangered or threatened species or other significant wildlife populations. The CAR is reproduced in Appendix G (Coordination).

.05 Estuary Protection Act. This Law provides for Federal designation of Estuaries of National Significance, and consultation with the Secretary of the Interior for projects that may impact such estuaries. The Wares Creek estuary is not part of such a designated area.

7.06 **Fish and Wildlife Coordination Act.** The proposed project has been coordinated with the Vero Beach Field office, U.S. Fish and Wildlife Service; a Coordination Act Report (CAR) is included in Appendix G. The CAR states that no significant fish or wildlife resources occur along the proposed project alignment. Nevertheless, they recommend stream "rejuvenation" measures for fish and wildlife habitat enhancement along lower Wares Creek (widening meanders, creation of riffles, etc) that would require a much wider real estate footprint than the current clearing and snagging proposed by the Corps, and would require extensive additional land acquisition through densely developed residential neighborhoods. Since this proposed "rejuvenation" is for the purposes of enhancing stream habitat quality, it does not consider flood retention capacity, nor the probable effects of existing frequent floods on such a "rejuvenated" floodplain, if it were built. The proposal was not further considered, because the CAR states that no significant habitat will be impacted by the recommended project; therefore there is no justification for the improvements proposed.

7.07 National Historic Preservation Act. This law requires Federal agencies to take into consideration the effects of their undertakings on historic properties, and to afford the Advisory Council on Historic Preservation or the State Historic Preservation Officer the opportunity to comment on the effects of the undertaking. This project is in full compliance ith the National Historic Preservation Act.

7.08 National Environmental Policy Act (NEPA). An Environmental Assessment (EA) of the potential effects of the proposed snagging and clearing has been conducted. The draft document has been coordinated for public comment and comments received. Based on the results of the EA and comments from various state and federal agencies as well as nonprofit and private parties, the NEPA process will be finalized.

7.09 Resource Conservation and Recovery Act. A preliminary (Level 1) assessment was carried out in October, 1993 to detect the possible presence of toxic, hazardous or radiologic waste. No indicators of toxic or radiologic waste were observed.

8.00 COORDINATION. Interagency coordination of the Cedar Hammock/Wares Creek flood control studies began in 1987 when a letter was received from Manatee County requesting assistance in a study of the Cedar Hammock East Branch. This request was combined with a previous request, dated January 11, 1984, by the city of Bradenton for a study of flooding problems along Wares Creek. A Reconnaissance Report was published in March 1990. The Reconnaissance study was coordinated with the Florida State Historic Preservation Officer, the Department of Environmental Regulation, the Department of Community Affairs and Department of Natural Resources. Early scoping for the feasibility phase study was completed in 1991 and early 1992. Potential environmental issues that surfaced during early scoping included: potential effects on threatened, endangered, or State species of special concern; potential adverse effects of further hardening and channeling on downstream water quality; potential water quality effects on outstanding Florida waters; compatibility with the SWIM Plan for Tampa Bay, and basin-wide stormwater modeling. (Refer to Main Report Appendix F). These issues have been discussed where applicable in the Detailed Project Report and this Environmental Assessment.

All substantial comments received during public coordination of the draft Detailed Project Report and Environmental Assessment are compiled as Attachment C of this EA. Please refer to Attachment C for responses to pertinent comments.

9.00 LIST OF PREPARERS. The following persons were substantially responsible for the contents of this Environmental Assessment: Barbara Cintrón, Biologist (principal compiler); Kimberly Koelsch, Biologist; Jim McAdams, Environmental Engineer; David McCullough, Archeologist; Paul Stevenson, Landscape Architect; Priscilla Trigg, Civil Engineer.

10.00 REFERENCES.

U.S. Army Corps of Engineers 1990. Reconnaissance Report. Cedar Hammock (Wares Creek), Manatee County, Florida. Flood Control Section 205 Study. Planning Division, Jacksonville District U.S. Army Engineer Division, Jacksonville Florida. 23 pp, Plates, Appends.

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TUESDAY, MARCH 5, 1996.

DEPARTMENT OF ENERGY BUDGET

WITNESS

ANNA AURILIO, STAFF SCIENTIST, U.S. PUBLIC INTEREST RESEARCH GROUP

Mr. BEVILL. Next we have Ms. Anna Aurilio.

We are pleased to have you with us and your full statement will be made a part of the record. We are glad to hear from you.

Ms. AURILIO. Great. Thank you.

I am Anna Aurilio, staff scientist for the U.S. Public Interest Research Group. We are the national lobbying office for the State PIRGs, which are active in about 30 States around the country. We are nonprofit, nonpartisan. We work on environmental, consumer and good government issues; and as you know, because I testified before you last year, we have been working on cutting programs that we call "polluter pork programs," those that hurt taxpayers twice—once in their pocketbook and then in their environment.

We have been working to shift the Federal Government's energy policies away from polluting energy sources, such as nuclear and fossil energy, and towards energy efficiency and renewable energy sources. To this end, most of my statements today and the statement that I will put in the record have to do with programs that we recommend cutting within Department of Energy budget. I would like to point out that we do support funding the renewable energy programs at $388 million, which is the fiscal year 1995 appropriated level.

So, first, what are our recommendations? We are recommending cutting programs that would save taxpayers a total of $550 million for fiscal year 1997. Unfortunately, since DOE has not put out its budget request yet, that may not be totally accurate. I tried to base that on the fiscal year 1996 levels and what we thought DOE was going to ask for.

Also, we are quite concerned—in addition to the programs that we would like to see cut, we are quite concerned that programs that we have worked to terminate in the past seem to somehow live on after they have been terminated. The gas cooled nuclear reactor and the advanced liquid metal reactor are two programs which Congress has terminated, and yet there are termination costs that are somehow murky and ill defined. There are redirection programs that, you know, have no mandate, have no long-term outyear funding plan, and we are worried that we have worked so hard to cut these programs and yet we may continue to be paying for them for the rest of our lives.

So we ask that this committee take a special look at what really happens with these termination costs. We have been unable to get a clear answer from DOE, in particular on the gas cooled reactor termination costs.

Okay So why—why do we want to go after the nuclear energy programs? First of all, Wall Street has rejected this technology; and as we have heard from various people today, talking about the problems of dealing with the nuclear waste, there is no sound solution. A recent study conducted by the Washington International

Energy Group found that 89 percent of utility executives would never order a new nuclear power plant. This is the potential market for DOE's R&D programs, and so if 90 percent of the market says, we don't want it, we think we should be cancelling the program.

Also, interestingly enough, DOE's commercial research and development program, the Advanced Light Water Reactor program, funds research at General Electric, Westinghouse and at Asea Brown Boveri. Last week, General Electric agreed with the fact that there was no market for one of its reactors. In fact, it stated that there was no world market for one of its small boiling water reactors, one of the programs funded under this—under this ALWR program.

The last point about the ALWR program is that it is now entering the sixth year of what was supposed to be a five-year funding program. So we urge that this not be continued.

The second program that we recommend cutting is the Nuclear Technology Research and Development program. This is something that we think is just a thinly veiled program to continue the Advanced Liquid Metal Reactor program. It is a reprocessing nuclear spent fuel reprocessing program that will generate more waste, that will ultimately have to be dealt with, and we think that the program should be cut.

We are also particularly concerned that this program has now been moved out of the Office of Nuclear Energy and into the Environmental Management program. Funds that are spent through Environmental Management should be used to clean up waste not to create more, which this will do.

Finally, we agree with Congressman Ensign on the Yucca Mountain program. We think that funding for this program should be cut pending an independent review of our nuclear waste policies. There are many problems associated with the program, and we recommend that it be cut.

Next is fusion energy. I am a physicist actually by training. I believe it is possible to generate electricity from fusion in an environmentally safe manner. I do not believe that DOE's fusion energy program will accomplish that because it relies on radioactive fueled magnetic fusion machines called "tokamaks." Consequently, we recommend scaling back their reliance on these "tokamaks," allocating more of the funding towards looking at alternative concepts and also spending some more time on basic science questions. I don't think that we should be going forward in constructing new tokamak reactors when there are some underlying science problems that have yet to be solved.

We also recommend——

Mr. BEVILL. Your time is up. Can you wrap it up in 30 seconds?

Ms. AURILIO. Sure. Absolutely.

Mr. BEVILL. Okay.

Ms. AURILIO. The last program I was going to talk about was the National Emissions Facility. According to DOE's fiscal year 1996 budget request, this will cost taxpayers at least $4.5 billion. We don't see any compelling energy policy reason to go forward with this project.

Thanks.

Mr. BEVILL. Thank you very much. Very fine presentation.

[The statement of Ms. Aurilio follows:]

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TESTIMONY OF ANNA AURILIO
STAFF SCIENTIST
U.S. PUBLIC INTEREST RESEARCH GROUP

before the

SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

COMMITTEE ON APPROPRIATIONS
U.S. House of Representatives

March 5, 1996

U.S. PIRG 218 D Street, SE Washington, DC 20003 (202) 546-9707

PRINTED ON 100% RECYCLED PAPER

Good afternoon, Mr. Chairman and members of the subcommittee. I am Anna Aurilio, Staff Scientist for the U.S. Public Interest Research Group. I am pleased to present our recommendations for the Department of Energy's FY97 budget request for programs under the jurisdiction of the Energy and Water Development Subcommittee. I will also comment briefly on our recommendations for Army Corps. of Engineers funding and certain proposed irrigation and flood control projects.

U.S. PIRG is the national lobbying office of the state Public Interest Research Groups. PIRGs are non-profit, non-partisan and work on environmental, consumer and good government issues in more than 30 states.

U.S. PIRG has been working to cut polluter pork programs. These are programs which hurt taxpayers twice -- first by robbing their paychecks, and second by threatening their health and environment. Two weeks ago, U.S. PIRG and PIRGs around the country joined the Concord Coalition in co-releasing the Green Scissors '96 report. The report, produced by Friends of the Earth which targets 47 polluter pork programs which would save taxpayers $39 billion if reformed or terminated. Many of our recommendations are included in the report.

Energy use and production is the largest source of pollution. Americans overwhelmingly favor spending their tax dollars on energy efficiency and renewable energy sources, yet nuclear energy and fossil fuel energy research and development programs have historically garnered over five times as much federal support as energy efficiency and renewable energy programs. In fact, a national poll conducted in December, 1995 by the Republican pollster Vince Breglio shows that over 71% of those surveyed opposed government funding of a new generation of nuclear reactors. The potential purchasers of the new nuclear plants are even opposed to new nuclear plants with 89% of utility executives surveyed by the Washington International Energy Group agreeing that their company would never consider ordering a nuclear power plant.

As you may know, U.S. PIRG has long worked to shift energy priorities away from polluting energy sources, such as nuclear and fossil fuels, towards clean and affordable energy sources. e believe that DOE energy research and development programs should focus on programs which will lead to a clean, affordable, energy future, and cut those which waste tax dollars and damage the environment. The American public also agrees.

We therefore recommend that the subcommittee terminate the following programs: the Advanced Light Water Reactor Program (FY96 $40 million), the National Ignition Facility (NIF)(FY97 expected $191 million), the "pyroprocessing" program also known as nuclear technology research and development (FY97 expected at least $25 million), and the Yucca Mountain site characterization (FY96 $250 million). We also recommend deep cuts (at least $44 million) in the tokamak-related fusion energy programs (FY 96 $244 million). This would save taxpayers $550 million in FY97. We also recommend that renewable energy programs are funded at the FY95 appropriated level of $388 million. I will focus my remarks on the programs which we believe should be eliminated or reduced.

PROGRAMS WHICH HAVE BEEN TERMINATED SHOULD NOT RECEIVE FUNDING

While we commend the 104th Congress for terminating the Gas-Turbine Modular Helium Reactor (GT-MHR), and cutting the magnetic fusion energy program, we are concerned that several polluter pork programs under the jurisdiction of this subcommittee have escaped the budget ax. We are also outraged that programs which Congress has terminated, such as the GT-MHR and the Advanced Liquid Metal Reactor (ALMR) continue to squander scarce taxpayer dollars on questionable "termination costs" and wrong-minded "redirection" programs such as the "pyroprocessing" program at Argonne National Labs. Despite decisive Congressional action to terminate these programs, poor oversight over the termination process means that we could be paying for these so-called "termination" costs for the rest of our lives.

POLLUTER PORK PROGRAMS WHICH SHOULD BE ELIMINATED

A. NUCLEAR ENERGY

When nuclear fission reactors were first being developed, supporters bragged that nuclear power would be "too cheap to meter." Decades later, despite enormous taxpayer subsidies, nuclear power has failed the marketplace test. No new nuclear power plant has been ordered and built since 1973, and in a recent survey of utility executives, eighty-nine percent said that they would not consider building a new nuclear power plant. We are now burdened with the yet-to-be-solved problem of addressing the highly radioactive, nuclear wastes which result from nuclear fission, and aging reactors present an increasing safety concern. The nuclear energy industry has fed long enough at the federal trough. Nuclear fission is uneconomic, unsafe and generates lethal wastes. Let us look beyond the almost religious fanaticism of the handful of nuclear power promoters who ignore economic realities. Nuclear power is a failed technology, it belongs in the past.

1. Advanced Light Water Reactor - Recommendation: Eliminate the program (FY97 expected savings $40 million) This program represents one of the most blatant examples of corporate welfare, and continued funding in FY97 will represent the sixth year of funding for a five year program.

The FY96 funds will fund design assistance for advanced light water reactors being developed by General Electric, Westinghouse and Asea Brown Boveri, and design certification and license renewal. There is no market in the U.S for such reactors.

Indeed, one of the beneficiaries of the ALWR program apparently believes there is no world market for at least one of its ALWR designs funded through this program. General Electric announced last week that it is terminating its small boiling water reactor (SBWR) because "[e]xtensive evaluations of the market competitiveness of a 600 MWe size Advanced Light Water Reactor (ALWR) have not established the commercial viability of these designs, particularly in light of the increasingly competitive nature of the electric industry throughout the world."

Finally, at a time when programs such as environmental protection and student aid are being slashed to balance the federal budget, it's outrageous that the ALWR actually provides funds to industry to pay the fees of another government agency. Congress and the Clinton Administration cannot be serious about deficit reduction if they continue to promote this handout to Westinghouse Electric with reported sales of $8.87 billion in 1994 and General Electric with reported sales of $60.6 billion that year.

2. **Nuclear Technology Research and Development** - Recommendation: terminate activities associated with reprocessing or pyroprocessing spent fuel (FY97 Savings - at least $25 million based on FY96 funding). According to DOE, this program is being created to cover the "redirection of valuable intellectual and physical resources at Argonne National Laboratory..." as a result of the shutdown of the nuclear breeder reactor program known as the Advanced Liquid Metal Reactor (ALMR).

U.S. PIRG and other environmental, taxpayer and arms control groups worked hard for the termination of the ALMR for cost, proliferation and environmental reasons. The recent sodium coolant accident at the Monju breeder reactor facility in Japan, underscores the safety risks associated with breeder reactor technology. We are extremely concerned that this new "Nuclear Technology Research and Development" program represents nothing more than a continuation of the fuel reprocessing activities supported by the ALMR program. The House consistently voted to terminate the ALMR in the 103rd Congress, an action which will ultimately save taxpayers $3 billion, and help prevent the spread of nuclear weapons.

Continued support for the reprocessing, pyroprocessing or electrometallurgical portions of the new Nuclear Technology Research and Development program keeps alive a key ALMR technology which should be terminated.

We are particularly concerned that this program has now been moved to the Environmental Management section of the DOE budget. This money should be used for the clean up of wastes from activities such as reprocessing, not the creation of more wastes through reprocessing.

3. **Nuclear Waste** - Recommendation: terminate Yucca Mountain site characterization pending an independent review of the program. (FY96 Savings $250 million) This program funds site characterization of the Yucca Mountain, Nevada site to see if it is

This program has been replete with cost and schedule overruns. The General Accounting Office found that only 22 percent of the Yucca Mountain budget has been spent on actual site investigation. What has been found so far does not instill confidence that highly radioactive, lethal wastes will remain isolated for over 10,000 years. The area is riddled with earthquake faults and was recently jolted by a magnitude 5.6 earthquake. Last year, Congress significantly cut funding for this program, this trend should continue.

Unfortunately, nuclear waste is here to stay. The nearly 30,000 metric tons of highly radioactive spent fuel from commercial reactors will remain dangerous to living things for hundreds of thousands of years. Throwing more money at this problem will not make it go away.

Both the General Accounting Office and the Nuclear Waste Technical Review Board have recommended an independent review of our nation's radioactive waste policies. 14 Senators, 26 member of Congress, and 173 local and national environmental, consumer, religious, and other organizations have called for the formation of an independent commission.

B. FUSION ENERGY

While it may be possible to generate fusion energy in an environmentally benign manner, DOE's current civilian fusion energy program focuses on a technology, known as "tokamak" which will generate large quantities of radioactive waste. DOE's defense-related fusion program raises proliferation concerns and may not be suitable for civilian energy production.

Enormous scientific and engineering problems associated with achieving and sustaining the conditions necessary for fusion energy are far from being solved. Over the last 40 years, U.S. taxpayers have paid more than $9 billion for research on fusion energy, yet none of the research efforts has achieved "break-even", the point at which the fusion reaction generates the same amount of energy as is put in. Of course, to produce commercial power, a fusion reactor has to generate more energy than is put in, and there is no guarantee that this will happen in our lifetimes. Yet in these tight budget times, DOE is planning to begin design and construction work on a new fusion reactor here in the U.S., and continue funding three existing reactors, none of which will generate clean, affordable energy.

1. **Tokamak Related Fusion Programs** - Recommendation: Dramatically scale back funding for tokamak-related fusion energy programs, including: termination of the Tokamak Fusion Test Reactor (TFTR), begin phase-out of taxpayer funding for the D-III-D reactor at General Atomics, begin phase-out of participation from the International Thermonuclear Reactor (ITER) project unless the emphasis is switched to basic research. Overall FY97 funding should not exceed $200 million, and at least 10% of the budget should be allocated to basic plasma physics and another 10% for alternative concepts and

fuels.

Tokamak technology generates radioactive waste and is uneconomic. According to Dr. Robert Hirsch of the Electric Power Research Institute (EPRI) these reactors would produce more radioactive waste than an Advanced Light Water Reactor. Dr. John Holdren of the University of California at Berkeley estimates that total lifetime radioactive waste volumes from fusion reactors will be "..about the same as those from advanced (breeder) fission reactors.." but notes that the fusion reactor wastes will by "...from 300 to 300,000 times less hazardous than fission-reactor wastes (the range depending on fusion-reactor materials choice and other design characteristics)." Of course, fission reactor wastes are hazardous for at least 240,000 years.

While tokamak technology may be somewhat less hazardous than fission reactor wastes, the price tag for tokamaks may be lethal. By many estimates, tokamak fusion energy will be more expensive than nuclear fission, which has already failed the marketplace test! A recent study by researchers at Los Alamos National Laboratories states that tokamak reactors "would not be competitive with respect to present projections for Advanced Light Water (fission) Reactors." Scientists from Lawrence Livermore National Laboratories have reported that "... there is a growing realization that our present, conventional approaches will not lead to attractive commercial reactor products able to compete in the energy marketplace of the 21st century.." Dr. Robert Hirsch of the Electric Power Research Institute (EPRI) testified that the "best DT [deuterium-tritium] tokamak designs appear to be less attractive than the Advanced Light Water fission reactor..". Finally, a 1991 Department of Energy internal policy study of 23 future energy supplies ranked fusion 22nd on the basis of feasibility, market and technical risk, and environmental and cost issues.

4. **National Ignition Facility** - Recommendation: Eliminate program (FY97 Savings Estimate - $191 million). According to DOE's FY96 budget request, the total cost of the proposed National Ignition Facility will be at least $4.5 billion. This project is primarily a "make-work" project for weapons scientists, but proponents also claim that this laser fusion facility will help develop civilian fusion energy technologies. U.S. PIRG believes that this technology is very unlikely to lead to a civilian energy source, and the use of radioactive fuels raises environmental concerns.

OTHER POLLUTER PORK PROJECTS UNDER THE JURISDICTION OF THE COMMITTEE

U.S. PIRG supports the following reforms and cuts in funding for water-related projects: reconfigure or cancel the Animas La Plata Water Project; deny any funding for the Auburn Dam; cut funding for the Army Corps of Engineers flood control construction budget and reduce standard federal cost-share for flood control projects from the current 75 percent to 50 percent or less.

TUESDAY, MARCH 5, 1996.

PACKERY CHANNEL PROJECT

WITNESS

OSCAR ORTIZ, COUNTY COMMISSIONER, NUECES COUNTY, TEXAS

Mr. BEVILL. Next we will hear from Mr. Oscar Ortiz. I believe you are the brother of one of our distinguished colleagues.

Mr. ORTIZ. Yes, sir.

Mr. BEVILL. We are pleased to have you with us. Your brother does a great job and is great to work with. And so you may proceed as you wish.

Mr. ORTIZ. Thank you, Mr. Chairman. I am Oscar Ortiz, County Commissioner for Nueces County, Texas. I would like to thank you for this opportunity to appear before you to present my testimony concerning the public policy arguments for the Army Corps of Engineers to assist with the construction, dredging and subsequent maintenance of Packery Channel.

This project is in my brother's congressional district. He is sorry that he could not be here to introduce me. The First Lady is visiting some schools in Nueces County today, and he was asked to accompany Mrs. Clinton on her visit.

Nueces County—I would like to include a statement from Congressman Ortiz with my comments.

Mr. BEVILL. Yes. That will be made a part of the record, without any objection.

Mr. ORTIZ. We in Nueces County do not have the resources locally to provide all of the necessary infrastructure elements to serve the national needs that have emerged with Nueces County's new role. We are able to accommodate most of the needs that have accompanied the growth, but we do not possess the base that would allow the region to meet the demands based upon our infrastructure.

The regional economy involves not only land-based transportation and traffic considerations, but also water-based transportation, commerce and safety concerns. The growth of Department of Navy installations and the need of the area Coast Guard facilities in meeting their missions and objectives have placed additional requirements upon our region. All of the above brings us to the public policy conclusion that Packery Channel should be opened to assist the county in meeting the added civilian and national security needs facing our Nation.

A number of factors have caused Nueces County to reevaluate the opening of Packery Channel. The increased population, coupled with the economic and social growth of the area, has placed the opening of Packery Channel in a new light. Recent Federal elections in the region along the Gulf intracoastal water way have introduced considerations of public safety, energy consciousness and natural resource conservation.

We met last week with local officials of the Army Corps of Engineers. We are pleased with the open and informative nature the Corps displayed in providing views and advice on the logistics and technical aspects of dredging Packery Channel and the subsequent maintenance that would be necessary to sustain the viability of the channel. The Corps officials were knowledgeable and well informed as to the issues directly pertaining to Packery Channel and the relative time and cost requirements that would be involved.

Corps of Engineers officials indicated that the opening of Packery Channel does not represent a difficult or taxing task in their scope of work for the region. They further indicated that the project was comparatively modest by the types of projects they had undertaken in the past. Corps officials offered the view that Packery Channel's specific requirements represented a relatively straightforward and easily accomplishable mission, should they be directed by the Congress to accomplish such a mission.

We ask that this committee in its deliberations on the fiscal year 1997 appropriations bill designate Packery Channel as a priority for the Galveston District office of the Army Corps of Engineers.

In the meeting with the Corps of Engineers, we were able to articulate the public policy reasons we perceive to be relevant to a Federal responsibility for the dredging and maintenance of Packery Channel. The factors are based upon national benefit to be derived through the public safety, environmental and economic aspects. We feel fully justified in making the case for Federal involvement in this project. In addition to national security and public safety considerations that would be enhanced by the opening of Packery Channel and aid the Department of the Navy and the Coast Guard in carrying out their missions more efficiently and effectively, the environmental and economic considerations would result in national benefits.

We respectfully request that the subcommittee recognize the merits of this case and designate the opening of Packery Channel as a national priority for the fiscal year 1997 Energy and Water Appropriations bill. We respectfully request that the Corps of Engineers be directed to conduct this construction and dredging operation.

I would like to thank you for the opportunity to present this testimony, and we would be pleased to answer any questions you might have regarding the specifics of our request.

Mr. BEVILL. You made a very fine statement and we appreciate it. Thank you.

Mr. ORTIZ. Thank you, sir.

[The statements of Mr. Oscar Ortiz and the Honorable Solomon Ortiz follow:]

Oral Testimony of
Representative Solomon P. Ortiz
before
the Subcommittee on Energy and Water Development
House Committee on Appropriations
March 5, 1996

Mr. Chairman and Members of the Subcommittee, thank you for your past support for South Texas and for allowing me this opportunity to support issues that are important to my District and the nation.

First, I would like to briefly mention the Raymondville Drain Flood Control project.

On November 17, 1995, Willacy County, located within my Congressional District, received between 5 and 12 inches of rain which caused flooding throughout the area.

The entire community of Raymondville was disrupted, and the Red Cross and State Guard were activated to assist with the situation.

The Raymondville Drain Flood Control project will remedy this situation.

Funding for this project has already been authorized as part of the Lower Rio Grande Basin Flood Control project in the Water Resources Development Act of 1986 (PL 99-662).

I strongly support this project and am asking for $ 5.0 million to be appropriated for completion of a comprehensive study of the project and development of project plans and specifications.

Mr. Chairman, I am very happy to introduce my brother, Mr. Oscar Ortiz, County Commissioner of Nueces County.

He is here to offer testimony in support of the Packery Channel project proposed for the Corpus Christi area. This project will benefit Nueces County by enhancing public safety, energy conservation, natural resources conservation, and defense efficiency.

I strongly support this project and respectfully ask for Subcommittee support in designating this channel as a national priority in the FY 1997 Energy and Water Appropriations bill.

Mr. Chairman, I would like to submit an extension of remarks regarding my support of these projects.

Thank you.

STATEMENT OF

OSCAR ORTIZ

COUNTY COMMISSIONER
NUECES COUNTY, TEXAS

FOR THE
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
OF THE
COMMITTEE ON APPROPRIATIONS
U.S. HOUSE OF REPRESENTATIVES

March 5, 1996

Mr. Chairman and Members of the Committee, I am Oscar Ortiz, County Commissioner of Nueces County, Texas. Thank you for this opportunity to appear before you to present my testimony concerning the public policy arguments for the Army Corps of Engineers to assist with the construction, dredging and subsequent maintenance of Packery Channel.

This project is in my brother's Congressional District. He is sorry he could not be here to introduce me, but the First Lady is visiting some schools in Nueces County today and he was asked to accompany Mrs. Clinton in her visit.

Nueces County is located in South Texas on the Gulf of Mexico, and surrounds the City of Corpus Christi.

The area at one time represented a more sedate and quiet pace of life. With the passage of NAFTA and economic, educational and cultural growth and development of the region, Nueces County and the surrounding region have undergone a significant transformation. Our regional community has been catapulted into playing a role in servicing not only our own citizenry, but also the increased traffic through our area as surrounding cities and counties are experiencing similar expansion.

We do not have the resources locally to provide all of the necessary infrastructure elements to serve the national needs that have emerged with Nueces County's new role. We are able to accommodate most of the needs that have accompanied the growth, but we do not possess the base that would allow the region to meet the demands placed upon our infrastructure. The regional economy involves not only land-based transportation and traffic considerations, but also water-based transportation, commerce and safety concerns. The growth of Department of the Navy installations and the needs of the area Coast Guard facilities in meeting their missions and objectives have placed additional requirements upon our region.

All of the above brings us to the public policy conclusion that Packery Channel should be opened to assist the County in meeting the added civilian and national security needs facing our region.

Packery Channel is currently filled in by sand. At the turn of the century it was an open and viable waterway to the Gulf. The opening of a Federal ship channel to the Gulf some 20 miles north of Packery Channel changed the natural energy flow and water exchange patterns along the coastline, causing Packery Channel to eventually close.

Several local initiatives over the past three decades to reopen Packery Channel never gained sufficient momentum due to lack of funding, focus or unity within the community.

Environmental concerns within our bay system including poor circulation, inadequate water exchange, presence of hypersaline conditions and the recent proliferation of brown tide have also added to this new interest in reopening Packery Channel.

A number of factors have caused Nueces County to reevaluate the opening of Packery Channel. The increased population, coupled with the economic and social growth of the area, has placed the opening of Packery Channel in a new light.

Recent Federal actions in the region along the Gulf Intracoastal Waterway have introduced considerations of public safety, energy consciousness and natural resource conservation.

The County has commissioned a comprehensive feasibility study to evaluate the costs, benefits and impacts of opening Packery Channel. The study will be focused upon the future, but also consider all of the previous work and analyses related to efforts to reopen Packery Channel. We had hoped to come to you with a completed analysis, but your hearing schedule for outside witnesses occurred earlier this year than in previous years due to the timing nuances of the FY 1997 Budget details to be submitted by the President to the Congress on March 18.

Public workshops and public hearings have been held on Packery Channel in Nueces County.

Widespread support and minor but legitimate environmental concerns were expressed in these meetings. The environmental assessment conducted for this project found that the environmental benefits to be gained by reopening the natural pass at Packery Channel are significant. (We are seeking ways to mitigate any negative environmental aspect of reopening Packery Channel.) We are confident that we can accomplish this and that the environmental community will support the project.

We do not need to talk about a poll. We have had numerous public meetings that have resulted in widespread support.

We met last week with local and District officials of the Army Corps of Engineers. We were pleased with the open and informative nature the Corps displayed in providing views and advice on the logistics and technical aspects of dredging Packery Channel and the subsequent maintenance that would be necessary to sustain the viability of the Channel. The Corps officials were knowledgeable and well informed as to the issues directly pertaining to Packery Channel and the relative time and cost requirements that would be involved.

Corps of Engineers officials indicated that the opening of Packery Channel does not represent a difficult nor taxing task in their scope of work for the region. They further indicated that the project was comparatively modest by the types of projects they had undertaken in the past. Corps officials offered the view that Packery Channel's specific requirements represented a relatively straightforward and easily accomplishable mission, should they be directed by the Congress to accomplish such a mission.

We believe we can make the case that the Congress would be acting in the national interest in directing the Corps of Engineers to open and maintain Packery Channel as a viable navigable waterway. The national interests served would be in the areas of environmental and economic benefits in the civilian sector, as well as the needs of the Navy in the defense sector. Public safety through enhanced Coast Guard access would also be achieved.

We ask that this Subcommittee in its deliberations on the Fiscal Year 1997 Appropriations Bill designate Packery Channel as a priority for the Galveston district office of the Army Corps of Engineers.

In the meeting with the Corps of Engineers we were able to articulate the public policy reasons we perceive to be relevant to a Federal responsibility for the dredging and maintenance of Packery Channel: The factors are based upon national benefit to be derived through public safety, environmental and economic aspects. I will address each one in summary fashion.

(1) Public Safety: With the opening of Packery Channel, the Coast Guard would be able to reach portions of the local coastline and beaches in one hour less time than current water access permits. This one hour reduction in access time could be the difference between life and death in instances of rescue operations, and certainly would provide greater safety limits for search and rescue missions.

(2) Environmental: The reopening of Packery Channel would partially restore the natural flow and exchange of waters between the Gulf and the Gulf Intracoastal Waterway and other inland waters. The balance in this sector of the biological ecosystem will be restored to something closer to its original state. The project will help to alleviate the periodic hypersaline conditions of the Upper Laguna Madre, thereby enhancing the aquatic habitat. This in turn should improve the fish population and mosaic fisheries opportunities.

(3) Economic: The opening of Packery Channel will produce several economic benefits to the area. It will enhance access and traffic to the Gulf Intracoastal Waterway. It will permit shrimp boats to operate with additional range and efficiency. Packery Channel will provide access for significant tonnage on additional charter and commercial fishing traffic, thereby enhancing the regional economy. In addition reopening Packery Channel is a key component for the future economic growth of the region. An economic impact study found that reopening the pass would have a direct and indirect financial and economic benefit in excess of $500 million over 20 years.

(4) Department of Defense: In addition, the Department of the Navy has just announced the location of the Navy Mine Warfare Center "Beach Front Operations Facility," within eight miles of the proposed Packery Channel. Gulf access to this facility by training, support and related vessels would support the Department of Defense/Navy mission significantly. The Packery Channel access would also contribute to energy savings and increased efficiency through easier and quicker access to Gulf waters and the IntraCoastal Waterway.

The analyses required for a successful project are well underway. The required Corps of Engineers permits have been approved. The Environmental Assessment conducted during the permitting process is deemed adequate for proceeding by the Corps of Engineers.

We feel fully justified in making the case for Federal involvement in this project. In addition to national security and public safety considerations that would be enhanced by the opening of Packery Channel, and aid the Department of the Navy and the Coast Guard in carrying out their missions more efficiently and effectively, the environmental and economic considerations would result in national benefits.

We respectfully request that the Subcommittee recognize the merits of this case and designate the opening of Packery Channel as a national priority in the FY 1997 Energy and Water Appropriations Bill. We respectfully request that the Corps of Engineers be directed to conduct this construction and dredging operation.

Thank you for the opportunity to present this testimony.

We would be pleased to answer any questions you might have regarding the specifics of our request.

Testimony of
Representative Solomon P. Ortiz
before
the Subcommittee on Energy and Water Development
House Appropriations Committee
March 5, 1996

Mr. Chairman and Members of the Subcommittee, thank you for allowing me this opportunity to lend strong support to issues that are of great importance to the 27th Congressional District of Texas. This distinguished Subcommittee knows that the resource requirements of my Congressional District are among my highest priority every year, and on behalf of my constituents and myself, I would like to express my gratitude for the support this Subcommittee has given in the past to allow us to meet many of our objectives.

Packery Channel

Corpus Christi, Texas, located in Nueces County, is the commercial center of Southwest Texas. It is the site of several military facilities including the Naval Mine Warfare Command and is home of the nation's sixth largest port, based on tonnage, which accommodates cargo traffic from Asia, Europe, Africa, South America, and Mexico. Water transportation is just one aspect of Corpus Christi's intermodal transportation connections which have made this area one of the fastest growing regions in the country since the passage of NAFTA. Increased trade and traffic through Nueces County has and will continue to challenge the area to keep up with the civilian and national security demands placed on its infrastructure.

These recent developments in the Corpus Christi area, including population increase, economic and social growth, and Federal action, have revived consideration of reopening Packery Channel. Currently, this channel is sanded -up and closed to water traffic. This is because of the change in flow characteristics resulting from the opening of the Corpus Christi ship channel around the turn of the century. Prior to that time, Packery Channel was a viable waterway open between the Intracoastal Waterway and the Gulf of Mexico.

Mr. Chairman, I strongly support this project which will benefit Nueces County by enhancing public safety, energy conservation, natural resources conservation, and defense efficiency. I respectfully request the Subcommittee to designate Packery Channel as a national priority in the FY 1997 Energy and

Water Appropriations bill and to direct the Army Corps of Engineers to conduct the construction, dredging, and maintenance of the channel.

I appreciate Mr. Oscar Ortiz, County Commissioner of Nueces County and my brother, testifying to the Subcommittee on behalf of this project. His participation is an indication of the importance of this project and the community's support for its completion.

Raymondville Drain Flood Control project

Mr. Chairman, on November 17, 1995, Willacy County, located within my Congressional District, received between 5 and 12 inches of rain. This incident caused widespread flooding throughout the county and had an especially severe impact on the town of Raymondville. The entire community was disrupted as the local schools and Central Business District were closed. The Red Cross and State Guard were activated to assist flood victims and to aid the Raymondville Police Department with traffic control and other law enforcement needs. In terms of physical damage, 667 structures in the town were damaged.

Although Willacy County completed drainage improvements which brought short-term relief to the flooding problem, it is still possible for this type of inundation to occur again. The Raymondville Drain Flood Control project is a long-term solution to this problem. This project was one of three projects in the Lower Rio Grande Basin Flood Control project authorized by the Water Resources Development Act of 1986. It is also the only project of the three that has not been funded.

Mr. Chairman, this area of my Congressional District has a very low tax base. In order for the citizens in this area to have long term relief from this problem, we need the Federal government's cooperation and support. For this reason, I am requesting $5.0 million to update the Feasibility Report completed prior to authorization and to develop plans and specifications for the project. Although you are, as always, under tight budgetary constraints, I hope you will take into account the needs of my constituents as the Subcommittee deliberates the FY 1997 Energy and Water Appropriations bill.

Mr. Chairman and Members of the Subcommittee, thank you for your consideration of these important projects and for the opportunity to support them with testimony.

TUESDAY, MARCH 5, 1996. .

CORPS OF ENGINEERS AND DOE PROGRAMS

WITNESSES

DR. THOMAS WAITE, UNIVERSITY OF MIAMI
DR. MARK A. HARWELL, UNIVERSITY OF MIAMI

Mr. BEVILL. Now, we have—Congresswoman Meek is, I understand, on her way. Are any of you with—testifying with her?

I guess we ought to go ahead. Some time ago she was on her way, but I believe she has gotten delayed; we will go ahead. I am sure she will be talking to us, even if she—even if she doesn't make it.

You know, she served with distinction on this panel, and she will be back on it one of these days. She did a great job. But I am sure she would prefer that we go right ahead and listen to you. So you may proceed as you wish, and your statements will be made a part of the record.

[The statement of Mrs. Meek follows:]

STATEMENT OF
U.S. REP. CARRIE P. MEEK
before the
ENERGY AND WATER APPROPRIATIONS SUBCOMMITTEE
March 5, 1996

Mr. Chairman, thank you for the opportunity to appear before you today.

It is my great pleasure to introduce to you two distinguished researchers who are making outstanding contributions to science and human knowledge, whose research also has tremendous practical value.

Dr. Mark Harwell is appearing today in the place of Dr. Otis Brown, the Dean of the University of Miami's Rosensteil School of Marine and Atmospheric Science, who was called away unexpectedly.

Dr. Harwell is Director of the Center for Marine and Environmental Analyses at the Rosensteil School, one of the world leaders in environmental research. He will explain the Aquatic Plant Research program at the Rosensteil Center, which is developing new way to protect the endangered Everglades and other sensitive coastal aquatic ecosystems.

Also, I would like to introduce Dr. Thomas Waite, Professor and Associate Dean of the University of Miami's College of Engineering, who will discuss the Electron Bean Sterilization Project. The University of Miami has developed a process for treating wastewater utilizing electron beams. This effective and relatively inexpensive technology is capable of disinfecting medical waste prior to its disposal in landfills. This use is being perfected at Jackson Memorial Hospital, one of the nation's premier public teaching hospitals.

Both the Aquatic Plant Research program and the Electron Beam Sterilization program enjoy a broad base of support from the sponsoring agencies; from the scientific community; from Florida Congressional delegation; from the State of Florida, and, perhaps most important, from this Committee.

Mr. Chairman, I strongly urge the committee to continue funding for these important programs, and I commend these two very distinguished researchers to your attention.

Mr. HARWELL. Thank you very much, Mr. Chairman.

My name is Mark Harwell. I am from the Rosenstiel School of Marine and Atmospheric Science at the University of Miami, and this is Professor Tom Waite, also from the University of Miami.

I want to thank you for the opportunity to speak to you today and submit written testimony for the record. I particularly want to take the opportunity to thank the subcommittee for previous recommendations in support of the Army Corps of Engineers research at the University of Miami.

The University of Miami's Center for Marine and Environmental Analyses at the Rosenstiel School of Marine and Atmospheric Science is conducting research under contract with the Army Corps of Engineers Waterways Experiment Station at Vicksburg, Mississippi, and in support of the Ecosystem Restoration activities of the Jacksonville, Florida office of the Corps of Engineers.

The center at Rosenstiel School, which I direct, has particular focus on ecological risk assessment and ecosystem management, ecological modeling at community ecosystem and landscape levels; development of microcosms and ecosystems for experimental studies on sea growth and coral reefs and other systems of the coastal waters of South Florida and the ecology of the South Florida region, including the terrestrial environment and human activities in the region.

This research capacity, in cooperation with a number of other universities, particularly several minority institutions in the region, is being brought to bear on several environmental issues of concern to the Corps of Engineers. As you know, the Army Corps of Engineers is engaged in a substantial project to restructure the water drainage flood control and water supply system for all of the South Florida regional environment.

The current threats to the Everglades ecosystem and to Florida and Biscayne Bays, particularly the water needs of the rapidly growing human population of South Florida, require fundamental changes in how water is stored and delivered throughout the system.

Traditionally, the Corps of Engineers has primary responsibility for freshwater systems, but because in South Florida the freshwater systems are so closely tied to the coastal environment, the Corps is now conducting studies to look at the coastal marine impacts from changes in the freshwater delivery system in the region.

The University of Miami's Marine School is involved in a project with the Corps of Engineers to do research on these coastal system impacts. This research complements several other multiyear projects under way under sponsorship of NOAA's Coastal Ocean program and the Department of State's program. The central purpose of the research is to develop tools to answer questions of policymakers to ensure the long-term sustainability of the regional environment.

The Nation's attention is particularly focused on South Florida regional environment recently, particularly the sustained and coastal environment. The work done at the university under the Corps of Engineers sponsorship led to vital information in support of these actions, and the lessons learned from this project will be applicable to other regions dealing with large-scale ecosystem management activities.

Under the Corps' sponsorship, we have initiated extensive research in the coastal waters field studies of the coastal waters of South Florida, a microcosm and laboratory in the coral reef and mangrove communities and developed computer models in collaboration with the Corps and other Federal agencies. This broad multilateral approach allows the examination of the cumulative effects of the multiple stress sources affecting the coastal environment whether they be from natural or human causes. A continuing multiyear commitment of resources to this effort will allow both the continuity of the experimentation and the exploration to managing the South Florida environment for the long-term environmental sustainability.

The University of Miami and our many cooperating educational institutions, including minority institutions of Florida—A&M University, University of Florida, Memorial College and Barry University—are eager to continue our successful collaboration as a contribution to this historic process of restoring the unique and internationally prized Everglades ecosystem.

Thank you.

Mr. BEVILL. Thank. Thank you very much. You made a very fine statement.

[The statement of Dr. Harwell follows:]

Statement Submitted for the Record by

Dr. Mark A. Harwell, Director
Center for Marine and Environmental Analyses
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University of Miami

Submitted to the Energy and Water Development Subcommittee
Committee on Appropriations
US House of Representatives
Washington DC
5 March 1996

The University of Miami's Center for Marine and Environmental Analyses (CMEA), at the Rosenstiel School of Marine and Atmospheric Science, is conducting research under contract with the US Army Corps of Engineers (ACOE) Waterways Experiment Station (WES) at Vicksburg, Mississippi, and in support of the Ecosystem Restoration activities of the Jacksonville, Florida ACOE district office. CMEA has considerable experience in ecological risk assessment and ecosystem management; ecological modeling at community, ecosystem, and landscape levels; development of microcosms to simulate coastal ecosystems; and the ecology of South Florida, including coastal linkages to the terrestrial environment and human activities. This research capability, in cooperation with other universities, including especially minority institutions in the region, is being brought to bear on many environmental issues of concern to ACOE, particularly its aquatic plant and other environmental programs of WES. The objectives are to:

- Provide an ecological risk assessment and ecosystem management framework in support of management at the ACOE/WES;
- Apply modeling, experimental, and field expertise to studies of estuarine ecosystems; and
- Advance the understanding of freshwater, marine, and coastal aquatic ecosystems in relation to human activities, with particular attention to South Florida.

CMEA capabilities in ecological modeling are directed at estuarine systems through research to construct, parameterize, and validate models using data from field and experimental studies. The historical emphasis in the WES aquatic plant research program has been freshwater systems, but the Corps also has responsibilities for coastal and estuarine waters affected by Corps activities. Thus an important new element that the

University brings to the ACOE aquatic plant program is this extensive expertise in coastal and estuarine ecosystems. As a consequence, the University of Miami has initiated new research on these systems, including the development of ecological simulation models and the new microcosm facilities for experimental research at the Rosenstiel School of Marine and Atmospheric Science.

Emphasis is placed on a South Florida regional ecosystem case study, as the Corps has particular responsibilities for the health of the South Florida aquatic environment through its system of water management structures. The COE-developed Central and South Florida Project is a system of canals and other water-management systems that fundamentally control the surface water regime for the entire region. The stringently peer-reviewed research funded under this agreement will help in the maintenance of the fishing and tourism industries, which are major components of South Florida's economy, and will help expand the Corps' existing scientific focus on freshwater plants to the associated coastal and estuarine ecosystems.

CMEA research will:

- Advance the scientific understanding for evaluating the health of the coastal ecosystems of the region and their relationship to management decision making;

- Assist ACOE in the broad application of the framework of ecological risk assessment, a newly developed approach for assessing human-caused risks to the environment that can address multiple stressors and diverse ecological endpoints in assessing environmental risks; and

- Assist ACOE in the broad application of the framework for ecosystem management, a new approach to examining systematically the relationships among ecological stressors, ecological conditions, human activities, and ecological sustainability.

The South Florida environment is a case study for several federal activities on ecosystem management as an interdisciplinary, interagency, and regional-scale activity. The Corps has direct responsibilities for the health of the South Florida environment, through its mandate for flood control, freshwater supplies, and protection of natural resources. The nature of the Corps' water control system and the manner in which it is managed directly affect the coastal and estuarine waters of South Florida, including salinity, nutrient, and other physical factors. CMEA scientists are building models of aquatic macrophyte-plankton-water column interactions that will be directly usable for evaluating the aquatic plants of the South Florida region and their relationship to the Corps' engineered system.

The University of Miami is the coordinating unit for the US Man and the Biosphere (US MAB) core project on ecological sustainability for South Florida, managed through CMEA. This project is at the leading edge of issues of human/environment interfaces and methodologies for bringing policy-relevant science to bear on ecosystem management issues. CMEA researchers are also major participants in the creation of a new ecological risk assessment/risk management paradigm being developed under auspices of the US Environmental Protection Agency. Both of these perspectives are merging into new concepts for ecosystem management. This policy-relevant, risk assessment framework is adaptable to the overall ACOE program, and we are working cooperatively with the ACOE scientists and managers in implementing this perspective for the aquatic plant program.

The major research themes for this project are being addressed through a series of research elements, including:

Estuarine plant community dynamics:
- development of process-level models of community and ecosystem dynamics;
- development of microcosms and mesocosms for experimental manipulations;
- implementation of field research activities;
- modeling—seagrass ecosystem models, hard-bottom community models.

Habitat-fish and invertebrate community dynamics
- relationship of animal populations with habitat quality.

South Florida regional ecosystem
- landscape modeling of the regional coastal environment.

Decision-support system

Conceptual
- ecological risk assessment;
- ecological sustainability;
- ecosystem management.

Many of the researchers for the tasks are faculty and staff at the Rosenstiel School of Marine and Atmospheric Science, but much of the research is being accomplished through networks that have already been established throughout the U.S. of researchers in academia and government agencies (e.g., for ecorisk and ecological sustainability research) or are being established to ensure the necessary expertise is brought to bear on the research themes. Extensive contacts with minority institutions in Florida are leading to subcontracts for research and other cooperative activities. Particular attention is being addressed to graduate research opportunities during this project so that newly developed techniques and perspectives will be inculcated in the next generation tasked with ecosystem sustainability.

Continued support is sought for this important research agenda, with particular emphasis on expanding collaboration and outreach through the University of Miami to minority educational institutions in the region. Only through consistently funded, long-term regional partnerships can the problems of ecosystem management and ecological sustainability be addressed to maximize the potential for future generations to enjoy economic prosperity and unique natural resources such as the Everglades.

Mr. BEVILL. Did you also have a statement?

Mr. WAITE. Yes, I did, Mr. Chairman, a different project that I had, if I could, very quickly.

Mr. BEVILL. Please summarize it, if you will, since your statement will be in the record.

Mr. WAITE. Yes. Thank you very much.

Mr. BEVILL. Yes.

Mr. WAITE. This deals with a project also recommended by this committee, the Department of Energy, dealing with development and demonstration of an innovative electrotechnology for handling medical waste, infectious medical waste. I apologize for my cold, but I thought it might emphasize the situation a little bit.

In fact, the project that we have been working on for the past two years comes out of the need in the health care arena for handling medical waste. As probably everyone is aware, most hospitals utilize incinerators on site as a choice of disposal and have for years. Public concern over the incinerators dealing with emissions of dioxin, mercury and other compounds specifically have, of course, caught the interest of the Federal Government, and the EPA is currently shutting down approximately 85 percent of those incinerators, the regulations to be implemented later on this spring.

Hospitals now are scurrying to find alternative ways of managing waste. This committee recommended a situation of using technology from the Department of Energy, electron beam accelerators. We were successful bidders on that project and have implemented that project.

This particular process utilizes radiation for disinfesting of medical waste, a process that is used for sterilizing medical products, a very efficient—the most efficient means of disinfesting material. While radioactive material is not highly popular to be located at institutions for waste treatment, the same technology can be achieved utilizing electronic accelerators where only electricity is utilized. These are commercially available machines; in fact, every television has one that some of us stare at in the evening, and x-ray machines also utilize this same technology.

We have completed in the first year and a half engineering designs and set-up protocol for a large-scale demonstration at the Jackson Memorial Hospital in Miami. We have—in addition to the DOE funds, our local utility, Florida Power and Light, has committed over 600,000 to this project so far. We are collaborating with Los Alamos National Laboratories on this project because of their expertise in electron beam accelerators.

At this point, the facility—the electron beam is built—the facility is being constructed, and we hope to be on line within two to three months; and I am here to request continued funding of this project, because all the data collected to date show this to be a very large-scale potential breakthrough in this area.

Mr. BEVILL. Once the equipment is sterilized, what do you do with it, the waste material?

Mr. WAITE. The waste material, once it is sterilized, is processed, rendered unrecognizable usually, with an advanced shredding process; and this material is easily land-filled. So it is acceptable as a landfill.

Mr. BEVILL. Sounds very good. Thank you very much. Thank you both.

[The statement of Dr. Waite follows:]

STATEMENT
SUBMITTED FOR THE RECORD
BY DR. THOMAS D. WAITE
COLLEGE OF ENGINEERING AT THE UNIVERSITY OF MIAMI

to the

Subcommittee on Energy and Water Development
Committee on Appropriations
U.S. House of Representatives
Washington, D.C.

March 5, 1996

Statement Submitted for the Record

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS SUBCOMMITTEE U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, D.C.

Exploitation of High Energy Electron Beam Irradiation for the Sterilization of Medical Wastes

Dr. Thomas D. Waite
College of Engineering, University of Miami, FL

A. RECOMMENDATION FOR CONTINUED FUNDING

Waste generation by health care institutions is substantial and is certain to contain material derived from patients who are infected with disease-producing agents. Many of these infections are, in fact, caused by agents that are usually considered to be opportunists rather than human pathogens. However, the public perception is that these agents must be a hazard because they are causing disease to humans.

Although the generation of potentially infectious waste material has been a necessary function of health care provision since Hippocrates, it is only within the past few years, with the advent of the AIDS epidemic and the hysteria surrounding medical wastes washing up on the nation's beaches, that prior treatment to disposal of this very sensitive waste stream has become an issue of grave concern and expense for its generators, and anxiety for the public in general. With the public's eye focused intently on our shores, local, state and federal regulatory agencies have been directed by events, their constituents and consequences to react by passing legislation that address problems associated with the approximately 600,000 tons of infectious waste generated annually by the U.S. health care industry.

The result of these regulatory initiatives has been the passage of a complexity of laws and guidelines, which though different, and sometimes conflicting, basically direct the nation's health care providers, the Miami Medical Complex[1] being a major one, to handle their infectious, now referred to as "regulated medical", wastes in a manner that would protect their own employees, sanitation workers, and the public at large from risks of exposure. No longer are items such as pathological waste, cultures and stocks of etiologic agents, blood and body fluids, sharps, and contaminated animal wastes among others, be disposed of without special handling, packaging, treatment, and manifesting specific to disposition site.

Further, measures such as the Clean Water Act and the Clean Air Act, particularly as articulated in the recently released emissions guidelines for new and existing medical waste incinerators, required that treatment and disposal be done with minimal negative environmental impact, with special focus placed on such potentially harmful air emissions as HCL, SO_2, NOx and dioxins, and liquid discharges such as chlorine.

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[1] The "Miami Medical Complex" is a group of area hospitals comprised of Jackson Memorial Hospital (JMH), Cedars Medical Center and Veterans Affairs Medical Center, in addition to approximately twenty (20) other smaller medical institutions such as the University of Miami Medical School, Bascom Palmer Eye Institute, and the Sylvester Comprehensive Cancer Center.

However, noting that:

- medical waste incinerators are the main cause of dioxin buildup (a potentially dangerous health hazard) in the atmosphere and that increase health care cost is directly tied to increasing incineration costs, which will substantially hiked this year because EPA regulations are being imposed, and that
- the vast majority, upwards of 90%, of these regulated medical wastes are being burned, either in the 3,500 to 5,000 on-site medical incinerators, or at the 115 commercially operated regional facilities that have grown up around the country, and that
- many, if not most of these units will not meet new guidelines as established by the EPA (the Agency estimates that as many as 80-90% of existing systems will be required to either shut down or upgraded at a considerable expense in order to meet published standards), and that
- in most cases, the economically disadvantaged sectors of the population are disproportionately impacted by the dangerous emissions from medical waste incinerators, and that
- public perception of incineration as an acceptable alternative for medical waste treatment is, by and large, extremely negative

there is a permanent solution. The paramount objective of the research group at the University of Miami is to implement one such full scale demonstration facility at the Miami Medical Complex.

Over the past few years, researchers at the Laboratories for Pollution Control Technologies of the College of Engineering at the University of Miami in collaboration with Jackson Memorial Hospital, have been working on a non-burn treatment technology. Based on the experimental work completed to date, this approach, although still in the testing and developmental stages, renders simulated infectious medical waste (red bag) both thoroughly disinfected and totally unrecognizable through a combination of advanced shredding and high-energy electron-beam technologies. The work being undertaken for the 1996 fiscal year is supported by a grant through the Office of Health & Environmental Research in the Department of Energy (award no. DEFG0595ER62086). Dr. Thomas D. Waite is the Principal Investigator of this research project.

For the project goals to become a reality and the technology to be made commercially available, continued funding in the amount of $1 Million must be made available to the University of Miami in fiscal year 1997. Further, the Federal Government should not be spending money on half-way applications, but should concentrate on permanent solutions. They should use those funds on research for the production and utilization of electron beam irradiation to replace incineration of medical wastes. Then, once and for all, we would solve the interrelated problems associated with the environment, and thus provide a clean and reliable method for the treatment and disposal of medical waste streams.

B. INTRODUCTION

1. Large Scale Demonstration of an Electron Beam Treatment System

Based on experimental and economic studies conducted by the research team at the University of Miami, electron beam irradiation of medical waste, in order to disinfect it to safe levels, has been concluded to be emerging as an attractive treatment alternative prior to disposal as a non-hazardous material. The process is capable of attaining any level of disinfection up to full sterilization by controlling the dosage received by the waste material. Other advantages include nominal electric power requirements, no steam needed, no residual heat in the treated waste, and **no harmful emissions that will destroy our lakes and forests in particular, and our Biosphere in general. Further, the application of this treatment technology adds a bonus, we would also get rid of another environmental hazard caused by incineration of medical wastes: the greenhouse effect**. Disadvantages include high capital cost and the need for material processing for size reduction and to render the waste unrecognizable. However, it is interesting to note that the estimated costs to evaluate the feasibility of electron beam process has compared favorably with current Miami cost per pound for transporting medical waste to a commercial incinerator. **Furthermore, it is noteworthy to mention that if the environmental impact associated with incineration of medical wastes were factored in the analysis, obviously, the electron beam process would emerge, by far, the most economically viable option, even when compared with other available alternatives.**

The technical and economic feasibility of the process has been supported to date primarily through engineering studies. In order for a new technology to be adopted over more traditional approaches to disinfecting hospital waste, it must be demonstrated in a real environment under large scale conditions. Such a demonstration allows the engineering and development of working systems that can be realistically evaluated by the hospital community in particular, and the populace in general.

The fundamental purpose of submitting this statement is to request continued support to complete the research work necessary for implementing one such full scale demonstration facility at the Miami Medical Complex.

C. SUMMARY OF RESEARCH WORK TO DATE

Past and ongoing work undertaken at the University of Miami has examined the type and size of accelerator that is applicable to the medical waste treatment technology, identified regulatory requirements which affect process design, developed feasible material processing alternatives, and identified the characteristics of the waste stream to be treated at the Jackson Memorial Complex. To date, the following tasks, supported by the Department of Energy/Office of Health & Environmental Research Award (Grant No. DEFG0595ER62086) have been or is being completed:

- Leasing agreement between the University of Miami and TITAN BETA for a 8 MeV, 1 KW electron beam machine to be used in the demonstration facility at Jackson Memorial Hospital.
- Engineering design for the shielding structure to house the electron beam and peripheral components for the demonstration facility.

- Bidding for construction of the shielding structure (vault) of the demonstration facility.

- A 4 MeV, 0.6 KW CLINAC 4/100 manufactured by Varian is currently being rebuilt and modified for use in limited on-site experiments at the JMH as part of our current research project. Experiments conducted at this facility and others planned at TITAN BETA's Denver facility will provide additional data for further systematic analysis and improved engineering design.

- Regulatory reviews have been conducted by the research team that has indicated that material processed through the electron beam's system will need to be land filled. Currently, it appears that not only must the waste be disinfected, which the electron beam will efficiently do, but it must also be processed into a condition acceptable to landfill owners and operators.

- Experiments have been conducted at the TITAN BETA's Denver facility, the main focus of which was to demonstrate treatment efficiency in simulated red bag waste and to generate engineering information for the design and installation of a large scale treatment facility -- to be constructed at the Miami Medical Complex.

- Research on the composition and characteristics of medical waste (red bag) at Jackson Memorial Hospital has been completed.

- Several dosimetry experiments have also been conducted to determine the extent of penetration into as received and shredded red bags by the electron beam technology.

Based on the work completed to date, results have shown that medical waste, whether whole or shredded, received approximately 100 percent of the applied radiation dose for a double-pass operation. **Further, it is accepted that the Bacilla spore is the most difficult micro-organism to remove. However, because of the excellent penetration of the high energy electrons throughout the waste, even this micro-organism was removed at very low doses.** Curve fitting analysis have been performed and the equations obtained for the destruction of the two most difficult micro-organisms, with increasing radiation dosage in kilograys are as follows:

$$\textit{Fraction of Bacilla Pumilus Cells Remaining} = 0.0007888{*}e^{(-0.3424{*}Dose)}$$

$$\textit{Fraction of Bacilla Subtilis Cells Remaining} = 0.003099{*}e^{(-0.5024{*}Dose)}$$

Clearly, the experimental analyses completed to date have proven, beyond doubt, that medical waste is not a hinderance to the penetrating power of the electron beam treatment process, the technology to be applied at the demonstration facility at Jackson Memorial Hospital.

D. CHARACTERISTICS OF JACKSON MEMORIAL HOSPITAL

Jackson Memorial Hospital (JMH) is part of a group of area hospitals known as the Miami Medical Complex of which Cedars Medical Center and the Veterans Affairs Medical Center are also part. In addition, there are approximately twenty (20) other smaller medical institutions such as the University of Miami Medical School, Bascom Palmer Eye Institute, and the Sylvester Comprehensive Cancer Center, which are also located in this complex. JMH is a large hospital; the second largest under a single license in the U.S. It is one of the few area hospitals specializing in the treatment of trauma cases, making it one of the busiest hospitals in South Florida. The hospital has a licensed bed capacity of approximately 1500, compared with other hospitals in the state which average about 250 beds. The percent occupancy is also significantly higher than the state average, over 82% at Jackson compared with 67% else where in the state of Florida.

JMH has an on-site biomedical waste incinerator which it currently uses to treat the bulk of its waste. During 1993-1994, over 10 million pounds of waste were incinerated at this facility, with 80% of that waste being generated directly by JMH. The remainder of the waste came from UM Medical School and Bascom Palmer. For this same time period, there were approximately 100 days of incinerator downtime. The Department of Health and Rehabilitative Services (HRS) requires that medical waste not be stored for more than 30 days, so if the incinerator is down for that period of time, then JMH must call a private hauler to collect their waste for treatment and disposal.

E. TASKS TO BE COMPLETED AND THE NEED FOR CONTINUED FUNDING

The following summaries the remaining tasks to be completed under the present funding and those to be undertaken in fiscal year 1997.

Although the aforementioned has shown that the fundamental ground work has been laid, the need for continued funding for fiscal year 1997 is of paramount importance. There still exists a substantial amount of work remaining before the principal objectives of the project are satisfied, the primary one being to have a full scale demonstration facility at the Jackson Memorial Hospital Complex.

Continued support is also needed to finish the construction phases, furnish the facility, and to cover one years work of systematic experimental testing and data analysis. The experimental work will provide well needed information for improved engineering design and equipment selection for this and other similar facilities to be constructed throughout the United States in the near future.

A continuation of support for this project would also demonstrate the Government's commitment, not only to develop an alternative technology to incineration for the treatment of medical waste, but also to emphasize its desire to reduce the buildup of dioxin and other hazardous air emissions to atmosphere. In such cases, the realized savings could be channelled to the economically disadvantaged sectors of the population by reducing their health care costs, a positive impact.

In closure, the information obtained from this project can form the basis of comprehensive economic studies on the impact that medical waste treatment technologies and waste management options have on the cost of health care, here in the United States and other industrialized nations.

TUESDAY, MARCH 5, 1996.

EL PASO WASTEWATER RECLAMATION PROJECTION

WITNESS

EDMUND G. ARCHULETA, P.E., GENERAL MANAGER, EL PASO PUBLIC SERVICES BOARD

Mr. BEVILL. We have Mr. Edmund Archuleta. Yes, sir. We have been saving the most important for last.

Mr. ARCHULETA. For last. All right.

Mr. BEVILL. I understand our friend, Congressman Coleman, is not going to be able to be here.

Mr. ARCHULETA. That is correct.

Mr. BEVILL. I am sure he will be following through. Knowing him, he will be looking out for you.

Mr. ARCHULETA. Yes, sir. Right. Thank you, Mr. Myers and members of the subcommittee for the opportunity to testify. My name is Ed Archuleta. I am the general manager of the El Paso water utilities public service board and, again, in the interest of time and you have spent a lot of time this afternoon with other people that have testified. I do have a statement for the record, but I would like to summarize that in executive format.

Mr. BEVILL. All right. It will be made a part of the record, your entire statement.

Mr. ARCHULETA. The public service board that I work for is responsible for managing water and waste water in El Paso County. We serve about 625,000 people. We also provide service to Fort Bliss, which is a large military installation, as you are aware, in that part of New Mexico and Texas.

The water resources and the El Paso-Ciudad Juarez, Mexico area are really limited. We are a desert community. We are the 19th largest city in America, and yet we share the resources with both Mexico and New Mexico. In the testimony, there is a map that shows the illustration of the two small aquifers that we have and the river, which serves primarily agricultural interests, but in recent years we have taken more and more water from the river as we can obtain water rights.

But nonetheless the big concern for El Paso, as a growing community and for Juarez, which is about two million in population, is that there is just not a sufficient amount of water to serve, you know, future needs unless we take some very decisive action.

What we have done—the Public Service Board has done, we prepared a 50-year plan for El Paso, a water resource management plan, about five years ago, which is a multifaceted plan. It includes strict conservation, which has since been adopted. We probably have the strictest water conservation ordinance in America. We also are recycling and reclaiming wastewater when we can apply that, and that is the focus of my testimony.

We are using more renewable surface water, as I mentioned, and in time we likely will have to desalinate the brackish water that exists in the area. But in the meantime, we have a very deliberate strategy because of this shared resource, and we have been working with the area agencies in trying to provide on a transboundary basis shared planning to execute the work.

We have been a leader in reclaiming water for about 30 years. We have reclaimed water in El Paso. We currently reclaim about 12 percent of all the wastewater that we collect and treat. The most sophisticated project we have is the Fred Hervey Reclamation Project, which has been in existence for 10 years. It actually reclaims wastewater to drinking water standards, and we inject most of it back into the aquifers where it commingles with our freshwater supply.

But we also provide like two million gallons per day to a power plant, and we also provide water for turf irrigation, primarily at a large golf course.

Nonetheless, as part of our 50-year plan, we recognize that we had to do more from each of our wastewater plants to reclaim and reuse more wastewater, and so we quickly put together a specific plan for El Paso, from all of our four wastewater treatment plants; and last year we planned—and then the plant, the project was certified by the new Border Environmental Cooperation Commission, the BECC, if you will, certified the project last November. Then through the help of the Congress and this committee, with the $1.5 million grant, we are now designing the first phase of that project.

The project is 70 percent complete. It will be under construction in August of this year. My board has recently appropriated up to $7 million as local share of the project; the project is 75 percent local, 25 percent Federal. So I think it is a good example of a shared partnership, you know, with a Bureau of Reclamation.

This project—the reason this project is important is because it will reclaim up to 3,000 acre-feet of water and will provide water for up to 27,000 people, which otherwise would be applied, you know, just as irrigation water, for example. We have "colonias" in the upper valley which I am sure Representative Coleman has clearly informed the Congress about, and we want to provide some of the saved water to apply to areas outside the city that do not have water resources.

My request this afternoon is to—is to ask you to appropriate $3 million to finish the project. It is an $18 million project—$1.5 million in the current budget, $3 million more, and our board will provide 75 percent matching funds and this project will go a long ways toward trying to resolve some of these critical border issues.

Like I said, it is fully supported by the Texas Water Development Board. It is supported by the Border Environmental Cooperation Commission, the Environmental Protection Agency and others; and we would ask your fair consideration of funding this very important project.

Mr. BEVILL. Yes. Well, that is very interesting; and you have made the best offer of the day, 75 percent of the——

Mr. ARCHULETA. Matching funds, yes, sir.

Mr. BEVILL. We say around here that we are going to have the same supply of water a thousand years from now as we have today. The big question is going to be how much of it is clean.

Mr. ARCHULETA. That is correct. That is right, quality and quantity.

Mr. BEVILL. You are certainly playing a very important role there. Thank you very much for your testimony.

Mr. ARCHULETA. Thank you for your time, Mr. Chairman and members of the committee.

[The statement of Mr. Archuleta follows:]

Testimony of
Edmund G. Archuleta, P.E.
General Manager
El Paso Water Utilities Public Service Board
Before the
Appropriations Subcommittee on Energy and Water Development

Presented in Washington, D.C. on
March 5, 1996

Thank you chairman Meyers and Members of the Subcommittee for the opportunity to provide testimony on behalf of El Paso Water Utilities in support of an appropriation for the development of a reclaimed water project for El Paso, Texas. My name is Ed Archuleta and I am the General Manager of the El Paso Water Utilities Public Service Board.

Short History of El Paso Water Utilities

The Public Service Board was created by the City of El Paso in 1952 to manage the water and wastewater utilities. El Paso Water Utilities is the major service purveyor and regional water and wastewater planning agency for El Paso County as designated by the State of Texas. We serve all the major customers in El Paso County including Fort Bliss military reservation. Our service population is estimated to be 625,000 people.

El Paso is an arid desert community with limited water resources which it must share with New Mexico and Ciudad Juarez, Mexico. It is the nations 19th largest city and the largest city on the U.S./Mexico border. The water supply for the international community consists of the Rio Grande and two small aquifers.

Need for Water Recycling Project

Water from the Rio Grande is fully allocated among agricultural interests under the terms of the Rio Grande Compact - a federal water project. The project water allocations to New Mexico and El Paso area farmers annually is approximately 700,000 acre-feet. In addition, under the International Treaty of 1906, Mexico receives an annual water allocation of 60,000 acre-feet. The City of El Paso currently receives approximately 50,000 acre feet of the 700,000 acre-feet through water rights leases, direct land ownership and other contracts. Demand on the groundwater aquifers is substantial and has resulted in significant declines. Ciudad Juarez, a border community with a population of almost 2 million is completely dependent on one aquifer, the Hueco Bolson, which is also El Paso's primary groundwater supply. El Paso currently depends on groundwater for 55 percent of its total supply. It is projected that the Hueco Bolson will be completely depleted of its fresh water by the year 2025.

In response to these water supply constraints, El Paso has been very active in the area of water recycling and reuse since the 1960's. In the early 1980's, El Paso made history with the successful design and implementation of a project to treat wastewater to drinking water quality standards for injection into the major groundwater supply aquifer. That project, the Hueco Bolson Recharge Demonstration Project has been in continuous operation since 1985. The Project currently reclaims about 7 million gallons per day. With this project, El Paso currently recycles about 12 percent of all the wastewater it collects and treats.

In 1991, we completed a water resources management plan which indicated the need to significantly expand our water recycling capacity. As a result, El Paso Water Utilities has planned a major recycling program with the first priority to serve the northwest portion of the city.

Description of Water Recycling Project

The first water recycling project, the Northwest Reclaimed Water Distribution System, is currently under design. When completed, the project will supply reclaimed water for irrigation and industrial use. Potential customers include city parks, schools, a golf course, the ASARCO smelter and the El Paso Electric Company Rio Grande generating station. The project will recycle approximately 3,000 acre-feet of water per year. Facilities necessary for project implementation include pump stations, reservoirs and distribution mains. Construction of this five phase project is to begin in August 1996. The project was certified by the Border Environmental Cooperation Commission (BECC) in November, 1995.

Benefits of the Project

The primary benefit of the project is to shift 3,000 af/y of demand from potable water to reclaimed water. This will provide potable water to supply approximately 27,000 people each year. Moreover, this water supply is renewable; whereas, increased groundwater pumpage is not. The water "saved" by this substitution can be applied to serve "colonias;" areas outside the city without water and for the growth of the city. The project benefits New Mexico and Mexico because our waters are a shared resource.

Requested Action

The Public Service Board has agreed to provide matching funds through the issuance of up to $7 million in water and sewer revenue bonds to complete the initial phase of the project. The first phase will match a 1996 appropriation from the Bureau of Reclamation for $1.5 million. The current request is for an additional federal appropriation of $3 million, in order to complete the project. The total project cost is estimated at approximately $18 million.

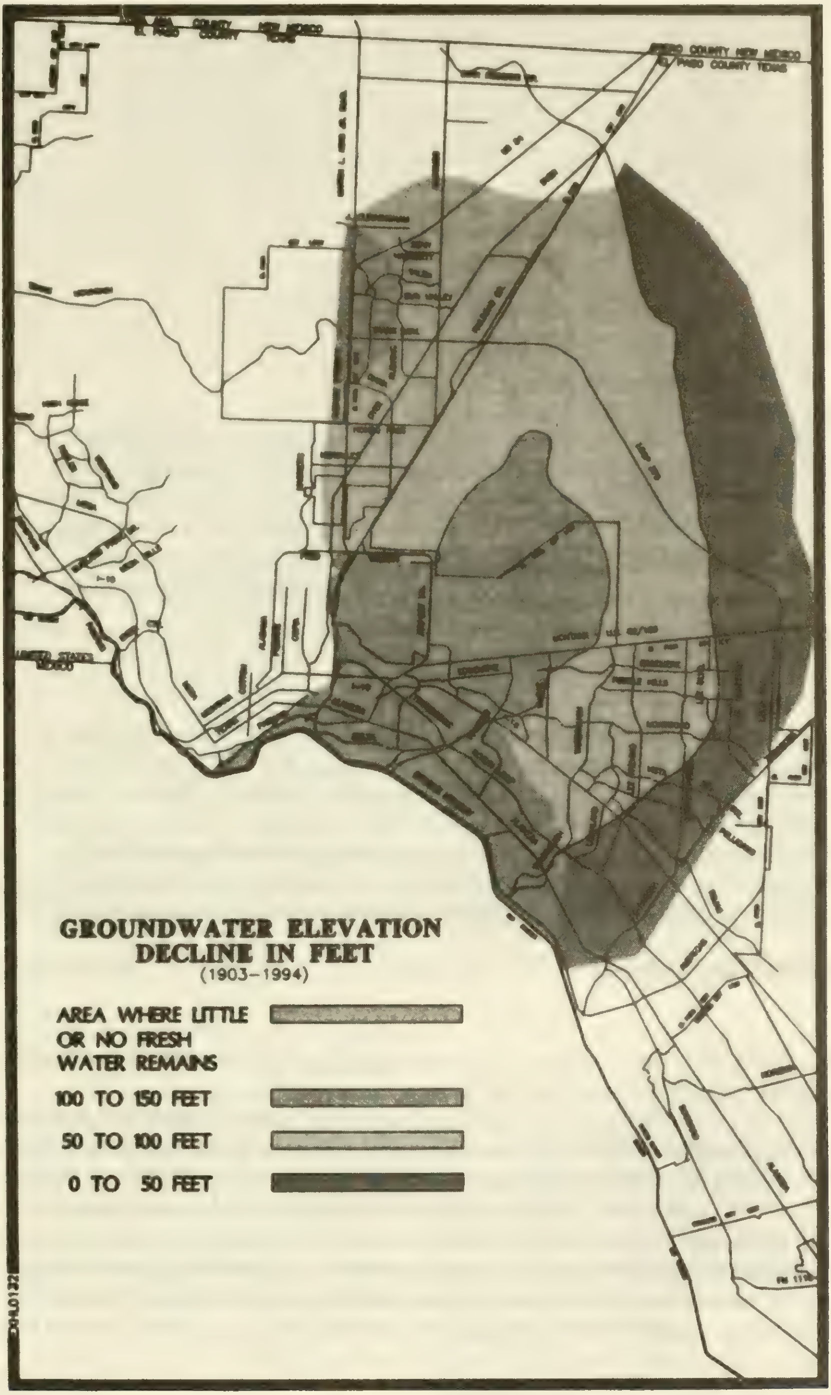
Summary

This project has received extensive regulatory review and approval. Furthermore, because it has been reviewed and certified by the Border Environmental Cooperation Commission (BECC), it has received extensive public review and comment as a project which will help achieve a safe and sustainable water supply source for the City of El Paso. The project includes multiple benefits both to El Paso as well as to neighboring border cities. Federal matching assistance in the amount of $3 million will assist in completing this vital project.

Thank you Mr. Chairman.

Attachments:

1. Figure showing historic and projected groundwater declines
2. Location map showing the water resources
3. Project planning and phasing map


GROUNDWATER ELEVATION
DECLINE IN FEET
(1903–1994)
AREA WHERE LITTLE OR NO FRESH WATER REMAINS
100 TO 150 FEET
50 TO 100 FEET
0 TO 50 FEET
DOÑA ANA COUNTY NEW MEXICO
EL PASO COUNTY TEXAS
OTERO COUNTY NEW MEXICO
EL PASO COUNTY TEXAS
UNITED STATES
MEXICO
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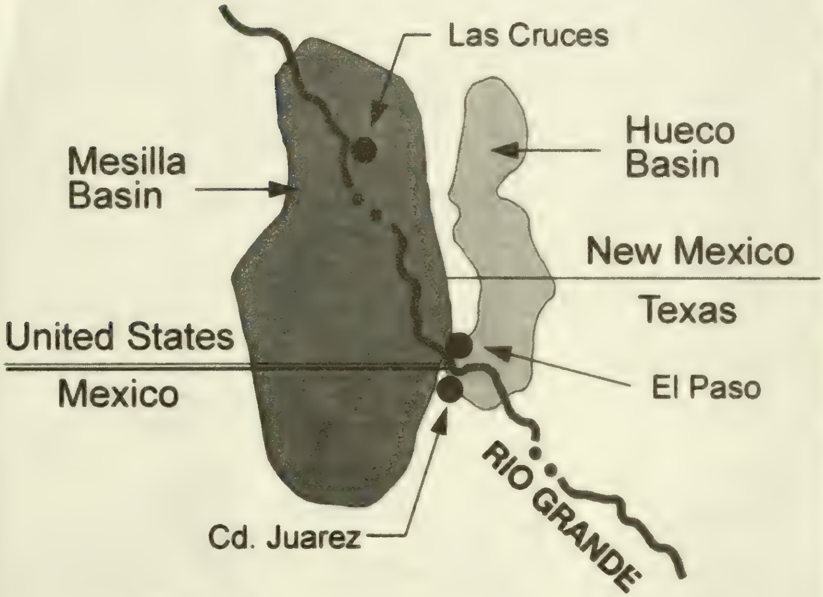
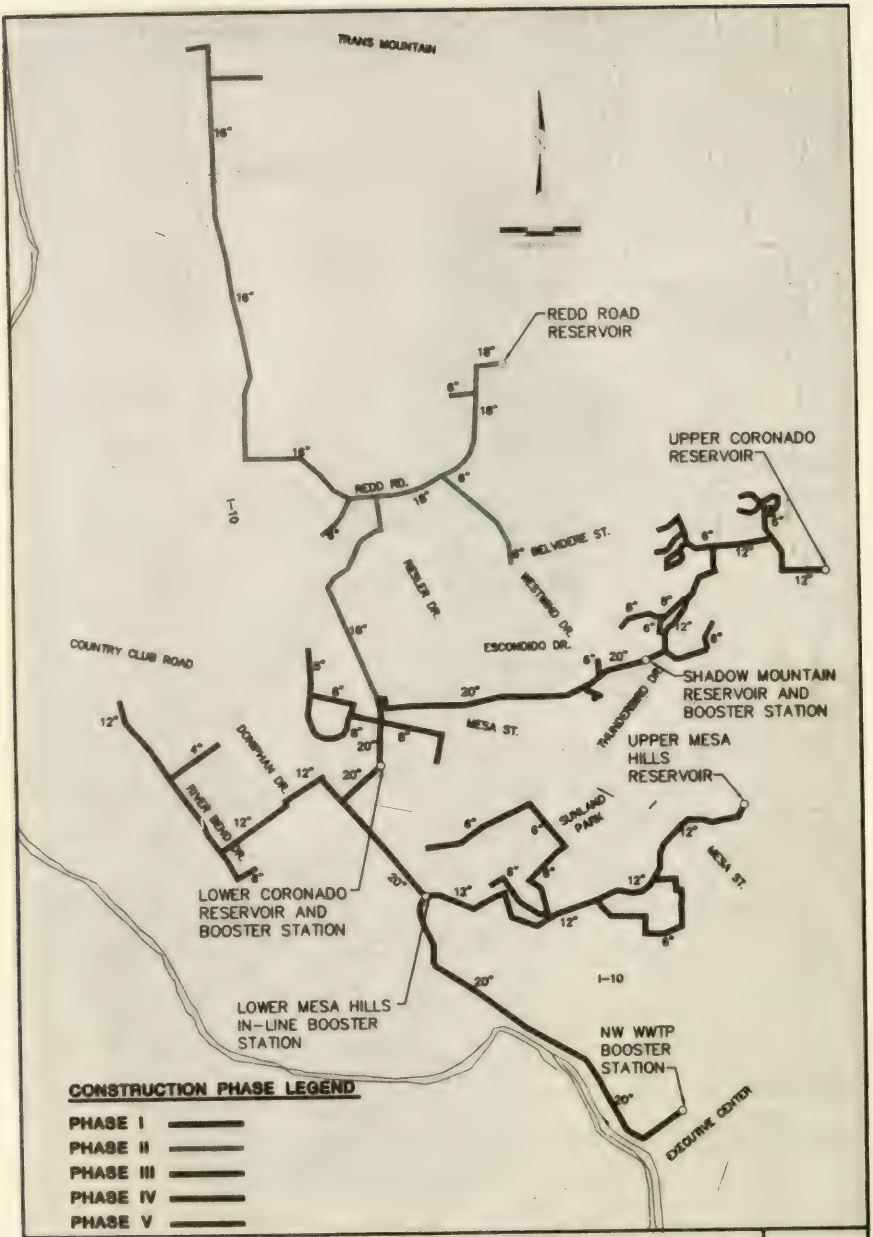
Mesilla and Hueco Basins





NW REUSE STUDY
RECOMMENDED SYSTEM

Mr. BEVILL. Does anyone else want to testify? We haven't heard many folks today, and we would like to hear you.

I believe that concludes our hearings then for today, and the committee will stand adjourned until 9:30 in the morning.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. JANE HARMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. MYERS. The committee will come to order.

This morning we are pleased to have the California delegation, and with respect to the California delegation, I turn the gavel over to our colleague Mr. Riggs of California.

Mr. RIGGS. Mr. Chairman, what an impressive gavel it is.

Mr. BEVILL. John presented to me my old gavel which was about half that big. I told them they just wore it down over a period of years.

Mr. RIGGS. I probably should note for the record, though, this one is made of Indiana cherry wood. And it is a beautiful gavel.

Thank you, Mr. Chairman.

Without further ado, I will simply convene the Energy and Water Development Appropriations Subcommittee for the purposes of conducting our traditional California water day.

The first item of business, of course, is to hear from Members of the delegation. I will need some direction from you or staff, Mr. Chairman, in terms of the order that we are going to proceed here.

Mr. MYERS. We proceed in the order they come in. Ladies don't always go first.

Mr. RIGGS. Okay.

Well, I have an order ranking here from 1 to 12 and at the very top of the list is our colleague, Congresswoman Harman.

We will hear from her first.

Ms. HARMAN. Thank you, Mr. Riggs and Mr. Chairman.

Let me say our thoughts are with your wife.

I am happy to accept the first-in award and testify on behalf of three projects. Let me mention that a number of my constituents are here and you will be hearing from them later, and they include Rancho Palos Verdes, Councilman Lee Byrd, and John McTaggert who will testify about the Rancho Palos Verdes Coastline Stabilization Project. Greg Woodell from the Los Angeles County Department of Beaches and Harbors, who will discuss the Marina Del Rey and Ballona Creek Feasibility Study and in this room; Rich Atwater, the General Manager of the West Basin Municipal Water District, which you have supported robustly in the past, and I hope you will continue to do so.

On Rancho Palos Verdes, there is an active landslide which continues to wreak havoc on the Palos Verdes fragile coastline environment. Marine life off the coast is heavily impacted by the erosion of tens of millions of tons of soil. A study has been begun, a feasibility study, by the Corps of Engineers and we are asking for money to complete it.

Last year, sadly, that money was not included in the fiscal 1996 budget but, hopefully, the 1997 budget will include $250,000. I feel fairly confident that the administration will include this request in its budget submission.

On Marina Del Ray, that is the largest man-made—person-made, Lynn Woolsey—harbor—small craft harbor in the country, and it has recently been plagued by storm-generated sediment shoaling which has blocked the marina's entrance. We were able just a few weeks ago to get the Army Corps of Engineers to reprogram some money and some short-term dredging is under way now. But we need a long-term solution to this problem.

The Corps has completed a reconnaissance study and is poised to begin its feasibility study and $200,000 was appropriated last year, but we need another 500—200,000 last year, another $500,000 this year, and I hope the committee will grant this request.

And finally, the Nation's largest water recycling plant is the Los Angeles area water reclamation and reuse project which you and Mr. Bevill, I know, are familiar with. It is open. It is processing 15 million gallons per day, next year up to 35 million gallons per day, and finally when completed at the end of the decade, 100 million gallons per day.

And this is just critical as a way to make Los Angeles County drought proof. Rich Atwater will be here later to talk about it, but we are asking for $15 million. This is an installment payment on a total Federal payment of $50 million, toward completion of the project.

These are the three projects that are my priorities. I am happy to present them to you, and I yield back my time.

Thank you.

Mr. RIGGS. We thank the gentlelady for her testimony, and should note that obviously we will have Members from all parts of the State testifying today, and there will obviously be, I think, some overlapping requests presented to the subcommittee today. We would like to make note of that when those requests come before the subcommittee.

Chairman Myers reminds me that all prepared statements will be placed in the record. And I should also announce at this point in time that our colleague, Congressman Bill Thomas, wanted to be present this morning to present testimony regarding projects in his district, but cannot be present due to an unavoidable conflict.

So with that, we will thank the gentlelady and excuse her and move next to our colleague, Congressman Ken Calvert.

[The statement of Ms. Harman follows:]

STATEMENT BEFORE THE ENERGY AND WATER SUBCOMMITTEE
COMMITTEE ON APPROPRIATIONS
CONGRESSWOMAN JANE HARMAN
MARCH 6, 1996

Thank you Mr. Chairman and Members of the Subcommittee for the opportunity to appear this morning to request your continued support for three projects in my District.

I would like to provide you with a brief overview of these projects and allow my constituents to fully explain the specifics. Before proceeding, I would like to take a moment to introduce these individuals who will testify later today. Rancho Palos Verdes Councilmen Lee Byrd and John McTaggert will testify on the crucial Rancho Palos Verdes Coastline Stabilization Project. Gregory Woodell, from the Los Angeles County Department of Beaches and Harbors, will discuss the Marina Del Rey and Ballona Creek Feasibility Study. Finally, Richard Atwater, the General Manager of the West Basin Municipal Water District will speak to the District's innovative Los Angeles Area Wastewater Reclamation and Reuse Project.

RANCHO PALOS VERDES COASTLINE STABILIZATION PROJECT

An active landslide continues to wreak havoc on the Palos Verdes fragile coastal environment. Marine life off the coast is heavily impacted by the erosion of ten million tons of soil. Furthermore, the landslide repeatedly causes severe damage to a major city roadway in Rancho Palos Verdes.

Completion of the Army Corps of Engineers' feasibility study is essential to determine whether coastline stabilization is feasible and likely to succeed. If so, the project may be treated by the U.S. Fish and Wildlife Service as valuable mitigation credit by protecting habitat for the California Gnatcatcher, an endangered species.

This project is authorized in Section 712 of the Water Resources Development Act of 1986. While a reconnaissance study was completed in May, 1992, and funding to begin a feasibility study was provided by the Committee in Fiscal Year 1993, no funds were provided for the project in the FY 1996 Energy and Water Appropriations bill. I request that the Committee provide $250,000 in FY 1997 to allow the Corps to continue this feasibility study, the total cost of which is estimated to be $1.6 million. I feel fairly confident that the Administration will include this request in its FY 1997 budget submission.

MARINA DEL REY AND BALLONA CREEK FEASIBILITY STUDY

Marina del Rey is the largest man-made, small-craft harbor in the Country. Unfortunately, it has been recently plagued by storm-generated sediment shoaling which has blocked the Marina's entrance channels. As we speak, the U.S. Army Corps of Engineers and the County of Los Angeles are using existing funds to conduct an emergency dredging project to be completed before April 15.

The Corps has completed a reconnaissance study and is poised to begin a feasibility study to finally reach a long-term solution to the problems at the Marina. The study's scope is now being finalized with input from various parties including the Corps, the County, and local environmentalists like Heal the Bay and the Santa Monica Bay Restoration Project.

This project was authorized in a Public Works Committee Resolution adopted September 28, 1994, and has been strongly supported by the Committee in the past. Last year's FY 1996 Energy and Water Appropriations bill provided $200,000 of the project's estimated $2.8 million cost. In order to determine an economical and environmentally safe disposal option for contaminated sediments at the Marina and to eliminate or reduce the flow of contaminants into the Marina's entrance, I request that Committee provide $500,000 for the feasibility study in FY 1997.

LOS ANGELES AREA WATER RECLAMATION AND REUSE PROJECT

The Los Angeles Area Water Reclamation and Reuse Project in El Segundo is the nation's largest water recycling plant, and is already helping to "drought-proof" the Los Angeles Area. The project was officially opened in October 1994 and provides 15 million gallons per day of recycled water, an amount which will increase to 35 million gallons per day next year. When completed, the project will provide 100,000 acre-feet of highly-treated water each year for municipal and industrial applications. Furthermore, this important endeavor protects the South Bay's fragile coastline by keeping billions of gallons of sewage from reaching Santa Monica Bay.

This project is authorized in Title XVI of Public Law 102-575, and has received Committee support since the project's inception. The FY 1996 Energy and Water Appropriations bill provided $8.3 million for this project. In order to complete the Bureau of Reclamation's $50 million commitment to the project by Fiscal Year 1998, I request that the Committee provide $15 million in FY 1997 funds for the project.

CONCLUSION

Mr. Chairman, the aforementioned projects are crucial investments in Southern California's economy and its environment. I hope that the Committee continues to show its strong support for these endeavors by granting these funding requests.

Thank you.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. KEN CALVERT, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. CALVERT. Thank you, Mr. Chairman.

I know you have many folks here today, so I will be brief and respectfully ask unanimous consent that my full statement be entered into the record.

Mr. RIGGS. Without objection.

Mr. CALVERT. I would like to welcome a few of my constituents here today to testify on behalf of many important water projects to my district.

First, supervisor John Tavaglione, a very close friend of mine, is here to testify for Riverside County's Flood Control District. He will be seeking continued funding for the Santa Ana Mainstem Project, the Norco Bluffs Project, along with funds for the Murrieta Creek, Gunnerson Pond and the Santa Margarita River Basin.

You will also be hearing from several folks from the Elsinore Valley Water District and the Eastern Municipal Water District. They will be seeking continued support for their projects, along with the small Reclamation Projects Act Program.

This program is one of the best programs our government has. It provides assistance for critical infrastructure and emphasizes local and Federal cooperation.

Again, Mr. Chairman, thank you for the opportunity to speak this morning and your continued efforts in assisting our water resource needs.

Thank you very much.

[The statement of Mr. Calvert follows:]

U.S. House of Representatives
Committee on Appropriations
Sub-committee on Energy and Water Development

Statement by Representative Ken Calvert
March 6, 1996

Thank you, Mr. Chairman.

I know you have many folks to hear from today, so I will be brief and respectfully ask unanimous consent that my full statement be entered into the record.

I would like to welcome a few of my constituents, who are here today to testify on behalf of many important water projects to my district. First, Supervisor John Tavaglione, a close friend of mine, is here to testify for Riverside County's Flood Control District. He will be seeking continued funding for the Santa Ana Mainstem project, Norco Bluffs project, along with funds for Murrieta Creek, Gunnerson Pond, and the Santa Margarita River Basin.

You will also be hearing from several folks from Elsinore Valley Water District and Eastern Municipal Water District. They will be seeking continued support for their projects along with the Small Reclamation Projects Act program. This program is one of the best programs our government has. It provides assistance for critical infrastructure and emphasizes local and federal cooperation.

Again, Mr. Chairman, thank you for the opportunity to speak this morning and your continued efforts in assisting our water resource needs.

PROJECTS FOR FY 1997 ENERGY & WATER APPROPRIATIONS BILL

ARMY CORPS OF ENGINEERS PROJECTS:

*Santa Ana River - Mainstem (Construction - General)	$52,000,000
*Santa Ana River - Norco Bluffs (Initiate design)	$180,000
*Santa Margarita River Basin (Reconnaissance Study)	$750,000
*Murrieta Creek (Section 22, Planning Assistance to States)	$150,000
*Gunnerson Pond (Section 1135)	$490,000

BUREAU OF RECLAMATION PROJECTS:

*Temescal Valley Project (PL84-984 & Treasury Bonds)	$2,000,000
*Eastern Municipal Water District (PL84-984)	$3,887,700
*Salton Sea Authority	$400,000

*Overall funding for the Small Reclamation Projects Act Loan Program, including 8 projects and 1 pending.

Rep. Calvert's testimony continued.

(The following is to be added into the record.)

SANTA ANA RIVER MAINSTEM

Construction on the Santa Ana River Mainstem began in the spring of 1990 and has moved smoothly since. Construction has been completed on the Oak Street Drain in Riverside County I am supporting Riverside County Flood Control District's request for $52 million in construction, which is the funding requested in the Administration's budget.

SANTA ANA RIVER AT NORCO BLUFFS

Because of the dangerous situation caused by the Santa Ana flows undermining the bluffs at Norco, this project must proceed expeditiously. Therefore, I ask for your support of the District's request for $180,000 to initiate design work for this critical project.

SANTA MARGARITA RIVER BASIN

In January 1993, the cities of Murrieta and Temecula experienced over $10 million in flood damages from the Murrieta Creek overflow. Camp Pendleton suffered serious damage due to overflow of the Santa Margarita River overflow. I seek your support of $750,000 to initiate a reconnaissance study on the Santa Margarita River Basin.

MURRIETA CREEK

While cleaning and restoration work along Murrieta Creek occurred after the 1993 floods, a plan is needed for creek/floodplain maintenance which will satisfy the requirements of the regulatory agencies until a project is in place. Please support $150,000 under Section 22, Planning Assistance to the States.

GUNNERSON POND

In order to create a permanent wetland and waterfowl habitat in the Gunnerson Pond area in Lake Elsinore, Riverside County, I support the District's request of $490,000 to prepare a Project Modification Report and to initiate design for the Gunnerson Pond project. The project is under the authority of Section 1135 and I am seeking funds within available funds.

BUREAU OF RECLAMATION SMALL PROJECTS LOAN PROGRAM

I very much appreciate your continuing support of Eastern Municipal Water District's unique wastewater reclamation project in southwest Riverside County. They are seeking $3,887,700. In addition, I seek your continued support for the funding requests for the eight projects under the Small Reclamation Projects Act and the one pending project. Three of these projects are in or near my district. They are the Temescal Valley project -- $2 million, Chino Basin Desalination project and the San Sevaine project. Finally, I seek your support for the Salton Sea Authority and their request for $400,000.

Mr. RIGGS. Thank you, Mr. Calvert, particularly for your brevity. We appreciate it.

We also appreciate it when any member from the Southern California delegation—I don't want to split our State geographically this morning, but when any member of our Southern California delegation comes before the subcommittee and testifies that their goal is to help droughtproof the Los Angeles areas. We in Northern California are happy, which means you no longer covet our water.

Mr. CALVERT. You are wrong.

Mr. RIGGS. Again, we thank the gentleman for his testimony.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. GEORGE MILLER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. And now we move to our colleague, Congressman George Miller.

Mr. MILLER. Thank you, Mr. Riggs, Mr. Chairman and Mr. Bevill; thank you for your time and for your support in the past.

Like my other colleagues here, you will be hearing from some of our constituents and you will be hearing from Roberto Gould from the Contra Costa Water District, and our new Mayor of Vallejo, Mayor Gloria Exline, later this afternoon. I am here in support of three dredging projects, but I think, as you hear from the other members of the Bay area delegation, we are unified in our support of all of these—all of these dredging efforts.

The Port of Richmond Deepening Project, which is in my district, the continuation of the importance of the Baldwin Ship Channel that runs from San Francisco Bay into Stockton, and finally, the resumption of dredging along the Vallejo waterfront, where the Naval shipyard is closing after 140 years.

We want to make sure that waterfront can continue to be used for economic activity support and we already have people who are intending to lease facilities on the economic conversion of that shipyard, based upon their—the availability of the port for—to bring ships in and out of that facility. So I would hope that you would support that.

I am also here in strong support of the work that was supported by this subcommittee last year, and that is for the fish screens and the recovery facilities at Rock Slough, which is the intake for the drinking water supply for most of the people in my district and Congressman Baker's district. This is as a result of a government requirement that we do something to improve the damage that is being done currently by the taking of this water from the river. And last year, the committee supported this with $80,000 to begin the design effort, and this year we are asking for $1.5 million.

In my extended testimony, I have other comments about my concern about funding for the San Luis Drain that I would hope would not be funded, and also the potential transfer of Bureau of Reclamation facilities. But I will leave that for my longer statement.

I would hope that you would give favorable consideration to these projects that I have mentioned.

Thank you.

Mr. RIGGS. Thank you very much. We appreciate the gentleman's testimony.

[The statement of Mr. Miller follows:]

Statement of

CONGRESSMAN GEORGE MILLER

7th District - California

Subcommittee on Energy and Water Development
House Appropriations Committee

March 6, 1996

Mr. Chairman and Members of the Subcommittee, it is a pleasure to come before you to discuss several of the very important projects in the 7th Congressional District of California. As the senior Democratic Member of the Committee on Resources, I will also offer some of my views on energy and water development issues that are important to both the authorizing and appropriations committees.

Corps of Engineers

Mr. Chairman, I am requesting that this Subcommittee continue funding for several important ongoing Corps of Engineers' projects for the 7th Congressional District. These projects meet the strict economic and environmental criteria established by federal law. They are also supported by local governments, and by the State of California. I believe they deserve your support as well.

I urge the Subcommittee to provide adequate funding for the dredging and navigation projects supported by the California Marine Affairs and Navigation Conference (CMANC).

In particular, the Port of Richmond Deepening Project is a matter of continuing importance to me. Most of the work on this project is scheduled to take place in FY 1997. The Port requires at least $8 million in construction funding for the deepening project in FY 1997. I also fully support continued funding for operation and maintenance dredging at the inner and outer harbor.

Other dredging projects for channel deepening and operation and maintenance are a critical concern in the district and in the entire Bay Area. It is my hope that the Corps of Engineers' budget request for FY 1997 will address the need to appropriate sufficient construction funds to continue the deepening of critical navigation channels in the Bay Area, including $650,000 for the Baldwin Phase of the San Francisco to Stockton Ship Channel. I am also looking forward to discussions of new alternatives that I understand are now being considered for the Baldwin Ship Channel. It is critical that all the dredging projects remain fully funded and on schedule as they are vital to the economic viability and expansion potential of the Bay Area and the State of California. I understand you will be receiving testimony from Roberta Goulart, the executive officer of the Contra Costa County's water agency in my district.

One additional critical Corps project that I would like to bring to your attention is the resumption of dredging of Mare Island Strait and an additional short length reaching to the Vallejo Waterfront in my district. Until two years ago, the Navy and the Army Corps of Engineers dredged Mare Island Strait when the Mare Island Naval Shipyard was active. Scheduled to close its gates after over 140 years of operation this April 1, the Strait is not deep enough for most major ship traffic and therefore poses a critical obstacle to the successful economic development of Mare Island and the City of Vallejo in the wake of the Navy's departure.

A major component of the reuse plan for the shipyard is to lease space to a private firm that has a long-term contract to dismantle mothballed Navy ships located in nearby Suisun Bay. The firm, Pegasus, has signed a preliminary lease with the City of Vallejo to use Mare Island for this purpose but cannot finalize the lease unless the Strait is deepened to 35 feet. Another firm, XKT Engineering, a steel fabricator, needs a deeper Strait to transport its materials. Pegasus and XKT alone are expected to generate between 200 and 400 jobs at Mare Island. This deepening project would allow these and additional firms with deep channel requirement to usse Mare Island as the home for their expanding business.

The Mayor of Vallejo, Gloria Exline, will be offering testimony to you today on behalf of this critical project and it is my understanding that this project already has bi-partisan support. It is my hope that the Corps and this subcommittee will provide adequate funding, estimated at $2 million, for deepening of the Mare Island

Strait and dredging an additional length reaching to the Vallejo waterfront to facilitate economic development in this area that has been dependent on the now-departing Navy for jobs and economic growth for over a century.

Bureau of Reclamation

Mr. Chairman, there are several matters affecting programs of the Bureau of Reclamation that I would like to mention at this time.

Fish Screen at Rock Slough

The Subcommittee last year supported an appropriation of $80,000 to begin work on fish screening and recovery facilities at Rock Slough, the intake location for the Contra Costa Water District. This project is specifically authorized in section 3406(b)(5) of P.L. 102-575, the Reclamation Projects Authorization and Adjustment Act of 1992. I appreciate the Subcommittee's attention to this project.

Installation of fish screens at Rock Slough will dramatically improve our chances of meeting the fishery restoration and protection goals established by the Central Valley Project Improvement Act.

I am concerned that funding for this project may be eliminated this year, despite the Federal government's requirement that prompt action be taken pursuant to a biological opinion issued by the U.S. Fish and Wildlife Service. The feasibility study for this project is well under way and will be completed this summer. Following completion of the feasibility study, the Bureau will be able to begin the necessary environmental analysis, pre-design and design engineering, which is expected to take approximately one year. The Bureau estimates that the Federal share of environmental analysis, pre-design and design engineering will cost approximately $1,500,000 during that time. I urge this Subcommittee to approve continued funding for the Rock Slough project in FY 1997.

Implementation of Public Law 102-575

In October of 1992, President George Bush signed into law P.L. 102-575, the Reclamation Projects Authorization and Adjustment Act of 1992. We are now well into the fourth appropriations cycle for the projects and programs authorized by this law. Although P.L. 102-575 is most often associated with water resource programs in California, the law also affects dozens of Bureau of Reclamation projects serving millions of citizens throughout the Western United States.

P.L. 102-575 presents many challenges and opportunities for this Subcommittee, for the Bureau of Reclamation, and for cities and water users throughout the West. I will enthusiastically continue to support funding for programs authorized by P.L. 102-575. However, I must make clear my determination that all matters pertaining to implementation of this complex law be considered in conjunction with the authorizing committee.

In particular, any proposals presented to this Subcommittee that would affect implementation of any title of P.L. 102-575, including the administration of Title 34, the Central Valley Project Improvement Act, would fall under the jurisdiction of the Committee on Resources. It would be my pleasure as senior Democratic Member of the Committee on Resources to continue to cooperate fully with this Subcommittee as implementation of this important law continues.

Transfer of Bureau of Reclamation Facilities

I am concerned that this Subcommittee may be asked to express support for changes in the Reclamation laws that would allow local project beneficiaries to assume ownership of all or part of various Reclamation projects. While I am not necessarily opposed to such proposals, and in fact have supported some of them in the past, I must strongly caution this Subcommittee that such proposals are clearly within the jurisdiction of the Committee on Resources.

Prohibition on Studying Terminus for San Luis Drain

For many years, this Subcommittee and the Congress barred the Bureau of Reclamation from using any funds to study or to construct the San Luis Drain or any other mechanism to transport agricultural wastewater from the Central Valley to the Sacramento-San Joaquin Delta. Although the cleanup of Kesterson Reservoir is now complete and the subsurface drains in the Westlands Water District are still plugged, the San Luis Drain represents a continuing threat to water quality in the Sacramento-San Joaquin Delta and San Francisco Bay. The San Luis Drain is not a solution to the Valley's drainage problem; it merely transfers the drainage problem and the toxic water pollution to the Sacramento-San Joaquin Delta.

As my colleagues on this Subcommittee are aware, Congress has spent nearly $50 million since 1985 on studies of the irrigation drainage problems in California's Central Valley. Millions more were spent on drainage studies prior to 1985, when the San Joaquin Valley Drainage Study Program began. The studies have demonstrated that reasonable and economically feasible alternatives to completing the San Luis Drain to a disposal point in the Delta are available.

The San Luis Drain was authorized more than thirty years ago, long before we experienced the environmental disaster at Kesterson Reservoir. The waterfowl deaths and deformities at Kesterson were directly caused by toxic irrigation drainage water, and we cannot allow that tragedy to be repeated further downstream. I urge the Subcommittee to include the previous ban on using any funds to study or to construct the San Luis Drain or any other mechanism which would transport agricultural wastewater from the Central Valley to the Sacramento-San Joaquin Delta.

Kesterson Reservoir and Drainage Studies: Repayment of Costs

My colleagues on the Subcommittee are aware that the Bureau of Reclamation over a year ago provided the Congress with its report concerning the past and anticipated future expenditures for the Kesterson Reservoir Cleanup Program and the San Joaquin Valley Drainage Program. This report was requested by the Conference Report accompanying the Energy and Water Development Appropriation Act of 1991. Expenditures made since 1985 and considered in the report total approximately $80 million.

The Bureau's report notes that current law requires that a substantial portion of expenditures made for Kesterson cleanup and drainage study activities must be reimbursed by project beneficiaries. The report also suggests that Congress may wish to consider alternative plans for some of these expenditures, including the alternative of making some of the costs nonreimbursable. Unfortunately, no action has been taken to implement these recommendations, and no drainage study or cleanup costs have been reimbursed. Legislative language in the FY 1996 Energy and Water Development Appropriations Act further delayed collection of these expenses and resolution of these issues. If Congress intended to defer indefinitely collection of these reimbursable costs as requested by the project beneficiaries, why did we direct the Secretary of the Interior to prepare this report six years ago? I urge the Subcommittee to direct the Secretary to collect all expenses that are reimbursable under law.

One of my highest priorities is to make sure that the events at Kesterson Reservoir are never repeated. I also believe that the costs of the cleanup and the related drainage studies should be properly and fairly allocated. I wish to assure my colleagues on the Subcommittee that I intend to work closely on these issues with the Chairman of the Subcommittee on Water and Power Resources.

Mr. Chairman, I thank you for the opportunity to address the Subcommittee this morning and I look forward to working with you on behalf of these and other important energy and water projects.

Mr. RIGGS. And I would like, Mr. Chairman, and Mr. Bevill, just to note for the record, and I would also like to note that our good friend and colleague, Congressman Vic Fazio joins us at this point in time.

Congressman Miller alluded in his testimony to the fact that the Mare Island dredging has bipartisan support, and that really is a reflection of the strong support that both Congressman Miller and I are giving to that particular dredging project. So we appreciate his testimony this morning.

Mr. MILLER. Thank you, Mr. Riggs.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. RICHARD W. POMBO, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. I would like to turn now to our colleague, Richard Pombo.

Mr. POMBO. Thank you Mr. Riggs, Mr. Chairman, and the committee.

I, too, will try to keep mine very brief, because I know that you have a lot of these to go through.

I would like to start off by mentioning that I, too, have constituents who will be testifying today. George Barber, who is a supervisor in San Joaquin; Alex Krgysman, who is a director of the Port of Stockton; Jerry Kennedy, who is representing the Stockton East Water District and the City of Stockton, will also be providing testimony here today as well.

By way of background, I represent the northern part of the San Joaquin Valley, the majority of the San Joaquin delta also is within my district. So a lot of the water problems that exist in California are concentrated in my district because of the unique nature of that. Part of our biggest problem over the years has been water management, as well as the development of new water resources.

In that light, I would like to endorse the following projects for fiscal year 1997, starting off with the Auburn Dam, which is an $8 million appropriation, the purpose of which was to facilitate the construction of a facility that would increase the amount of water available in California.

Another project is the water recycling and reuse project in the City of Tracy. It is a $500,000 appropriation. This is intended to be used to recycle and reuse current water in the city of Tracy, to expand upon our ability to manage our water locally there.

The Stockton Metropolitan Area Study and the Farmington Dam Evaluation, this is a study to increase the capacity of the Farmington Dam to $160,000 acre feet, which will help in the eastern part of my district in providing water for a severe groundwater overdraft problem. The Sacramento San Joaquin Delta investigation is an appropriation to determine the improvements for flood control, to stop saltwater intrusion, to improve navigation, recreation and fish and wildlife, long-term management of the delta region.

Also, the Stockton Deep Water Channel Reconnaissance Report, which you will hear about in detail later on, but it is to examine the feasibility of deepening the Stockton Channel.

And in conclusion, I would also like to mention a couple of other California projects. The Shasta Dam Temperature Control Device in Northern California; the San Joaquin River Flood Release Coordination Project, which affects most of the valley; the fish screen projects at the Glenn Colusa Irrigation District, which is in Mr. Fazio's area in Northern California; and the New Melones Water Management Study which affects my district greatly but it also affects a number of the other valley constituencies as well.

And having said that, thank you very much.

[The statement of Mr. Pombo follows:]

Statement
by
The Honorable Richard W. Pombo
before the
Subcommittee on Energy and Water Development
# of the
House Appropriations Committee
on
March 6, 1996

Thank you, Mr. Chairman, and members of this subcommittee for conducting this hearing today and for allowing members of the California Delegation to express their support for projects to be included in the upcoming FY 1997 Appropriations bill. I appreciate the opportunity to share with you my support for some of the projects I believe are vitally important to the Central Valley of California.

Let me state from the outset, that I appreciate all of your hard work through the years as both the Ranking Minority Member and most recently as Chairman of this Subcommittee. In an era of shrinking federal dollars, let me assure you that your efforts -- and the efforts of all of the members of this Subcommittee -- to secure energy and water development funds for the State of California have not gone unnoticed. Your work has assured the maintenance of a healthy energy and water infrastructure not only in my state, but the entire nation. As the Representative of a district whose economic survival is directly linked to the quality and quantity of its water supply, I thank you for your dedication and support. Also, I want to wish you, Mr. Chairman, the best of luck in your retirement from service in the House of Representatives.

I would also like to take a moment to recognize the constituents who are either from, or are representing, my district whom you will be hearing from today. First, George Barber will be speaking in his capacity as San Joaquin County Supervisor and as Director of the American River Authority. Also testifying today is Mr. Jerry Kennedy, who is representing the Stockton East Water District. Stockton East has been working diligently to provide the City of Stockton with a steady supply of surface water to reduce our area reliance upon the groundwater supply, which is critically overdrafted. In addition, I would like to recognize Alexander Krgysman, the Director of the Port of Stockton. Under Alex's leadership, the port has enjoyed phenomenal success. Today, the Port of Stockton is far and away one of America's finest inland ports. Finally, I would like to thank the California Water Commission who, once again, have worked diligently on behalf of all of California's interests and needs in this process.

My district, the Eleventh Congressional District, has a long, proud history of agricultural production. At the same time, it is one of the fastest growing counties in California, putting an ever increasing demand on its urban water requirements. Finally, with its limited surface water supply, the area has had to rely on groundwater in the east, which is in a state of critical overdraft. This -- in conjunction with excessive saltwater intrusion in the Delta, and the high levels of salinity in the lower San Joaquin River -- has made improving water quality a top priority for the people in this region.

It is with this brief background that I come before this Subcommittee to request funds for several projects which, I believe, will improve the quality and enhance the supply of water in the Central Valley for all of the competing and equally important interests in my area -- agricultural, urban and environmental.

American River Watershed/Auburn Dam (CWC 201) - $8 Million

First and foremost, I join my neighbor and colleague, John Doolittle, the Chairman of the House Resources Water and Power Subcommittee, in requesting $8 million for the completion of an expandable flood control dam at Auburn. These funds, which would be provided to the Army Corps of Engineers, would help construct the Auburn facility to increase the supply of water for users of the Central Valley Project. Most importantly, it will help address the critical need for flood control in the City of Sacramento. Failure to complete a dam at Auburn, I believe, will have a catastrophic impact on the residents below the levees. Damage estimates due to flooding have approached the $15 billion mark. Much worse, a flood would be sure to jeopardize the lives of the over 400,000 residents in the area. Simply stated, the federal share for a flood control and storage facility at Auburn are minimal compared to potential costs if a flood were to occur in the area. The authorization for an Auburn Dam should coincide with this year's appropriations schedule, and enjoys the support of nearly all of the residents of the Sacramento County, the Sacramento Area Flood Control Agency (SAFCA), and the State of California.

Stockton Metropolitan Area Study/Farmington Dam Evaluation (CWC 133) - $550,000

The prospects for additional flood control and surface water supply for San Joaquin County lie in a proposal to enlarge the reservoir at the Farmington Dam site from 52,000 acre feet to 160,000 acre feet. Therefore, I am requesting an appropriation for the Army Corps of Engineers of continued funding of $550,000 to perform a reconnaissance study to determine the feasibility of enlarging the existing reservoir at Farmington. Enlarging this reservoir, I believe, would greatly benefit this region at a minimal cost to the federal taxpayer. This appropriation is supported by the City of Stockton, the Stockton East Water District, and the State of California.

Water Recycling and Reuse Project/City of Tracy - $500,000

The City of Tracy, my hometown, is currently involved in a public-private project to reuse and recirculate a portion of its water supply. Pending legislation, H.R. 2738, would amend the Reclamation Recycling and Water Conservation Act to provide a 25% federal cost share for this, the San Joaquin Area Water Recycling and Reuse Project. On behalf of the City of Tracy, I am requesting a $500,000 authorization for the Bureau of Reclamation to participate in the design, planning, and construction of this important project.

Sacramento-San Joaquin Delta Investigation (CWC 121) - $600,000

The Sacramento-San Joaquin Delta lies in the heart of the 11th Congressional District. The area is surrounded by over a thousand levees, which serve to prevent flooding and protect some of the most productive agriculture land in the world. It is my hope that this Subcommittee provide the Corps with $600,000 to help determine viable improvements for flood control, the salt-water intrusion problem, navigation, recreation, fish and wildlife, and the long-term management of the region. This is an important issue not only for my district, but for all of the water users in the Central Valley.

Stockton Deep Water Channel Reconnaissance Report (Port of Stockton) - $650,000

I would also like to make clear my support for a request of $650,000 for the Army Corps of Engineers to examine the feasibility of deepening the Stockton Channel. You will hear testimony in greater detail today from my friend, Alex Krygsman, as to the merits of this project and its critical need for federal support.

In addition, there are a number of projects put which I would like to share my continued support for including: funding the Bureau for the Shasta Dam Temperature Control Device (CWC 611); the San Joaquin River Flood Release Coordination project (CWC 125); and a new start project -- the New Melones Water Management Study, which would require a $150,000 appropriation. You will hear more detailed testimony from some of the witnesses today on these, and all of the worthwhile projects beneficial to the state of California.

Thank you, again, Mr. Chairman, for allowing me to testify today. I look forward to working with you, and all of my colleagues on this Subcommittee, as we move forward with this year's appropriation process.

Mr. RIGGS. Thank you, Mr. Pombo.

Did we understand correctly that we will be hearing testimony later today from the Port of Stockton?

Mr. POMBO. Yes, they will be in later today and describe in great detail on the project that they are requesting this year.

Mr. RIGGS. Thank you again.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. JERRY LEWIS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. Congressman Jerry Lewis, one of our good friends and colleagues and appropriations subcommittee Chairman.

Mr. LEWIS. Thank you very much, Mr. Riggs.

Mr. Chairman, Mr. Bevill, Mr. Fazio, I want to express my deep appreciation for the many, many years of support that we have received from this committee. All of you recognize the tremendous problems we have with potential flood difficulties that originate in my district and up in Orange County eventually one way or the other.

Mr. MYERS. You don't hold your water very well.

Mr. LEWIS. You know, I thought I might mention that one of the items that is a part of California history that people often choose to forget should be noted with the passing of former Governor George—Pat Brown, who put together a phenomenal compromise that involved the reality that Northern California used to every year have the kind of flooding that we have experienced in areas like Oregon and Washington this year.

Through that compromise, we developed flood control projects in Northern California that eventually, among other things, delivered water to the South. And it was that working together in a nonpartisan environment that allowed us to really develop a historical change that was really important for the development of our State.

I have a statement that I would like to submit for the record. I am not going to mention the series of projects that we are concerned about in terms of detail, but mention that later in the day that Ken Miller from San Bernardino County will be available for your questions and input.

There is little doubt that the committee will continue to be concerned about the Santa Ana River Project that involves the most significant potential flooding area in the entire country that is yet unprojected. While the water originates in my district, I must say that the problem currently focuses in Orange County, where eventually if we have 100- or 150-year floods, there are tens of thousands of lives potentially affected, billions of dollars of property.

I look very much to see the Orange County delegation come together in a unified fashion, supporting the kinds of compromises if we are really going to solve the difficulties in Orange County presently.

I must mention, Mr. Chairman, that beyond water projects, this subcommittee has been phenomenal in its leadership in a number of other areas, and I wanted to mention to you today that one of the greatest contributions ever made by this subcommittee involves the proton therapy project at Loma Linda University. It involves cancer treatment.

They are on the verge of breakthroughs as a result of the work of this subcommittee that will involve not just noninvasive treatment of cancer for prostate and other tumor difficulties, that are limited in size, but very shortly we expect that there will be a major breakthrough in terms of breast cancer. As a result of the cooperation and support of this committee, they continue to make phenomenal progress in this area.

I want to express—I have come today in part to express my deep appreciation for the contributions that have been made.

[The statement of Mr. Lewis follows:]

JERRY LEWIS
40TH DISTRICT, CALIFORNIA

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STATEMENT OF CONGRESSMAN JERRY LEWIS
before the
HOUSE APPROPRIATIONS SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

Mr. Chairman and Members of the Subcommittee:

As always, it is a pleasure to appear before you and share with you a number of southern California projects which I strongly support. I want to take a minute to express my appreciation to Chairman Meyers and his Ranking Member, Tom Bevill. Together, over many years, you have both handled this Subcommittee with exceptional leadership and fairness. Your work together on this Subcommittee is a model of how elected officials should operate and cooperate in a bi-partisan spirit to take care of the flood control and energy needs of the country.

I would like to thank the Subcommittee for their fine work which has attributed to the continued progress of the Santa Ana Mainstem Project. I urge the Subcommittee to maintain its strong support of this project and its related features and to continue working on a series of projects critical to the future of southern California's development. I would like to take a minute to introduce San Bernardino County's Transportation and Flood Control Director - Ken Miller.

Santa Ana Mainstem - I am pleased to report that we continue to make a great deal of progress on the Santa Ana project. Construction on the embankment and spillway portion on the Seven Oaks Dam is also proceeding on schedule and within budget estimates. The Seven Oaks Dam is now nearly 40% complete. The estimated budget requirement for FY 1997 is $52 million, which should also be reflected in the President's budget request. This includes continued work on the Seven Oaks Dam, San Timoteo Creek, Prado Dam, and the Lower Santa Ana River.

The Reach One of the San Timoteo Creek project and construction is near completion. The funding need for the San Timoteo Channel for FY 1997 is $7 million.

The Subcommittee's continued support of funding for the Santa Ana Mainstem project will enable the ongoing design and construction of vital flood protection work for the millions of people who reside in San Bernardino, Riverside and Orange County. Furthermore, the project will safeguard the billions of dollars of property located in this region.

Mission Zanja Creek - As a result of the reconnaissance study completed in 1994, two features of this project appear to be economically justified. The Expanded Inlet Plan and the Canyon Detention Plan. I am requesting $190,000 for FY 1997 to expedite this project through the Section 205 Small Flood Control Project Continuing Authorities Program. This request will enable the preparation of plans and specifications for this project.

Seven Oaks Water Conservation Study - As a result of the completed reconnaissance study, a determination was made to pursue water conservation for the Seven Oaks Dam. I would like to express my support for $250,000 to complete the feasibility study and initiate plans and specifications detailing impacts of a water conservation program for the Seven Oaks Dam.

Mojave River Floodplain Management - On August 30, 1994, the San Bernardino County Flood Control District (District) and the Corps entered into an agreement to develop a comprehensive floodplain maintenance plan for approximately 65 miles of the Mojave River. As part of the agreement, the District will prepare 65 miles of topographic mapping. The funding need in FY 1997 for this mapping is $35,000.

Mojave River Forks Dam - Evaluate opportunities for water conservation, environmental restoration, and enhanced flood control at and along the Mojave River and tributaries downstream of the dam. A resolution for survey study is currently pending in the Transportation and Infrastructure Committee. $500,000

City of Victorville Waste Water Reuse Study - Initiate a study under Section 217(c)(1) of the Water Resources Development Act of 1992 to Provide technical, planning and design assistance to the City of Victorville leading toward the construction of a waste water reuse facility which will provide a new increment of municipal water supply. $500,000

Inyo County/Yucca Mountain - Yucca Mountain, Nevada, the site of the proposed high-level waste repository, is just 17 miles from Inyo County, California, which shares an underground aquifer with the potential repository site. Inyo County is the only California County involved in the effort to determine impacts on the local economy and the environment. The county has been involved in studying the local hydrology to determine any possible groundwater risks. Should you decide not to fund state and local programs, I request that Inyo County be appropriate $500,000 for FY 1997 to resume the Inyo County Impact Assessment Program.

San Antonio Creek/San Sevaine Creek/Norco Bluffs - I would like to urge the Subcommittee to support these three projects which are no longer in my Congressional district but are essential to the region.

San Antonio Creek - $50,000 -complete reconnaissance study and initiate feasibility study.

San Sevaine Creek - $3,000,000 -initiate Federal participation. (Bureau of Reclamation Project)

Norco Bluffs - $180,000 - initiate design.

Again, Mr. Chairman and Members of the Subcommittee, thank you for affording me the opportunity to appear before you to present these requests. I know how difficult the next several years will be for each of the Appropriations Subcommittees as we move down a path that takes us toward a balanced budget. I am aware of the competing interests your subcommittee must balance. However, I urge you to keep these projects in mind when making your difficult funding decisions.

Mr. MYERS. I am sorry I didn't get to meet with the Loma Linda group.

Was it last night?

Mr. LEWIS. Yesterday, John.

I understand absolutely, and our thoughts are with you and your family.

Mr. MYERS. I am sorry I didn't get to meet with them.

Mr. LEWIS. Thank you very much, Mr. Chairman but——

Mr. FAZIO. Mr. Chairman, would you yield for a second?

Mr. RIGGS. Certainly.

Mr. FAZIO. I just thought maybe while we have a large turnout of the delegation here and a room full of Californians, that we ought to formally second Mr. Lewis' comments and thank John Myers and Tom Bevill for all the years they have contributed to the economic development of our State, to its energy development as well as flood protection, water supply and all the other things. And I hope everyone would join me in a round of applause for the two gentlemen who are leaving.

[Applause.]

Mr. LEWIS. Mr. Chairman——

Mr. BEVILL. Let me just say that—I just want to say that you are a great group to work with and I don't know of any group that I have enjoyed working with more than this California group.

And so I look forward to visiting you in California. Anytime I got an invitation, I would go, you know. So I am going to continue coming out to California once a month.

Mr. LEWIS. Mr. Chairman, as I depart, I want Mr. Bevill to know that helicopter is waiting.

Mr. BEVILL. I would advise nobody to get in the helicopter with Jay Lewis.

Mr. MYERS. One time he caused a terrible storm out there, at least.

Ms. PELOSI. And don't forget the earthquake.

Mr. MYERS. Be careful when you invite him.

Thank you, Vic, and thank you for the courtesy you have given us through the years.

As Mr. Bevill has mentioned here, it has been a pleasure working with you and for you. You have a very fine delegation that works together and how important that is in the process here.

Your presence here from California is very important. We have our differences between the Senate and us, or even on the Floor of the House. The fact that you presented the testimony here, the facts, gives us the tools that we need to do the job. So we thank you for the job you are doing for yourselves.

Thank you, Vic.

Mr. RIGGS. Obviously, most of us, I think, would assume it, but let me say for the record how many years of combined experience is represented here between you?

Mr. MYERS. We have 60 years.

Mr. BEVILL. Sixty.

Mr. RIGGS. Sixty years of combined service.

Mr. BEVILL. We were sworn in the same minute and we are going to leave the same minute.

Mr. MYERS. The good Lord willing.

Mr. RIGGS. Thank you. That is truly an extraordinary legacy.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. LYNN WOOLSEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. But we now move to Congresswoman Lynn Woolsey.

Ms. WOOLSEY. Thank you, Mr. Riggs, Mr. Chairman, Mr. Wonderful Ranking Member, Mr. Fazio. I don't know what we are going to do without you two. I mean, you have been here the whole time for me.

Mr. BEVILL. I think Lynn has made a good case for her project.

Ms. WOOLSEY. I don't have to say any more, right?

Mr. MYERS. Do you want to rest your case here?

Ms. WOOLSEY. That's it. We have got it all, folks.

Thank you for all you have done to help me since I have been here, and for to help my district, California's Sixth Congressional District. You have been very good and I have enjoyed working with you.

Today, we have the mayor of Corta Madera, Norm Richardson, and he is back again. And he is here asking your support to finish a project to control flooding in the San Clemente Creek, and he will be providing testimony later this morning. But he is here with us today.

I am going to talk a little bit longer than I normally do because I have to ask for—talk about two things beyond my regular requests. I need to return to two crucial issues that I thought were on track in fiscal year 1996. Even though the subcommittee did your full share on these matters last year, they still need attention this year. They are not—the first is an unfinished project, the Santa Rosa Vernal Pool Preservation Plan. I would like to thank the subcommittee for providing $250,000 in fiscal year 1996 to complete and implement the Santa Rosa Vernal Pool Preservation Plan. It is in Sonoma County. But I am very concerned by reports that due to budget shortfalls the Corps is intending to make only $100,000 available for this effort, Mr. Chairman. So I respectfully request that the remaining $150,000 be made available in 1997 to ensure completion of this successful project. It is the Santa Rosa Vernal Preservation Plan.

The second piece of unfinished business concerns the Petaluma Flood Control Project. Mr. Chairman, the City of Petaluma has been working for over a decade to develop a flood control project to prevent recurring floods in Petaluma.

The cost-sharing agreement on this Section 205 program was scheduled to be signed in May of 1995. I have been scheduled three different times in my district for that signing, but it has been postponed as a result of the Corps' budget, a budget that was cut by the other body.

At this point, the project has been considerably delayed, despite the fact that it is already under construction and despite the fact that a large local investment has been made towards the project.

I understand that the Corps has made a request to reprogram the funds to enhance Section 205. I have fingers crossed that the subcommittee will approve this request.

In addition, I am hopeful and expect that the administration's fiscal year 1997 budget will include $1.6 million for construction of this Petaluma Flood Control Project. So I respectfully request that the subcommittee provide this full amount in 1997 to enable this essential project to remain, really to get back on track. Ten years is a long time to wait.

Now, turning to this year's business, and I will try to go quicker, I would like to ask for continued support for the San Clemente Creek Project and thank the subcommittee for providing last—funds last year for the feasibility study and project design. This year, I respectfully request $900,000 for continuation of preconstruction engineering and design for the Marin County shoreline, San Clemente Creek Storm Drainage Reduction Plan, and Mayor Richardson is here to talk to you about it in detail.

The next project of importance for me and my district concerns the Russian River, which I share with Mr. Riggs, which we share with Southern California. And I appreciate the subcommittee's assistance in the past on this important project.

Last year, you provided $100,000 to begin Russian River environmental restoration, and I understand that it is likely that the administration will have $350,000 for this project in the fiscal year 1997 budget. So I urge you, I beg you, to include that $350,000 in your budget.

Next, you may recall that last year, I testified in support of a Corps of Engineers' study designed to help save the Bolinas Lagoon. Mr. Chairman, I request that the subcommittee appropriate $450,000 for the Corps to conduct a study to see which would be the most effective way to restore the health of Bolinas Lagoon. And later today Jerry Pope will be here to talk to you about that.

Finally, I would like to ask the subcommittee to provide funding for Corte Madera Creek Flood Control Project, the project the Marin County Board of Supervisors voted unanimously to support. It is important to me, to my district and to the four cities that this creek goes through, that $400,000 be provided to resume this important project.

Mr. Chairman, I am sorry I went on and on. I am usually shorter than this. But I thank you for your consideration and all of these projects are of great importance to my district.

Thank you.

[The statement of Ms. Woolsey follows:]

LYNN WOOLSEY
6TH DISTRICT, CALIFORNIA

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REP. LYNN WOOLSEY
TESTIMONY
ENERGY & WATER DEVELOPMENT APPROPRIATIONS SUBCOMMITTEE

Rep. John T. Meyers, Chairman
Rep. Tom Bevill, Ranking Member

March 6, 1996

Mr. Chairman, I appreciate the opportunity to testify before the Subcommittee today in support of projects in California's Sixth Congressional District. First let me take the opportunity to introduce the mayor of Corte Madera, Norman Richardson. Mayor Richardson has come back again this year in support of a project to control flooding on San Clemente Creek and will provide detailed testimony later this morning. I will touch on this subject briefly, but I urge you to give the Mayor your full attention on this matter.

However, before beginning with my regular requests for Fiscal Year 1997, it is necessary for me to return to two crucial issues, that I thought were on track in Fiscal Year 1996. Even though the Subcommittee did its full share on these matters last year, they still need prompt attention from the Subcommittee this year.

Santa Rosa Vernal Pool Preservation Plan.
The first of the unfinished business concerns the Santa Rosa Plain Vernal Pool Preservation Plan. I would like to thank the Subcommittee for providing $250,000 in Fiscal Year 1996 to complete and implement the Santa Rosa Plain Vernal Pool Preservation Plan in Sonoma County.

This effort has widespread community support and provides a workable solution for local development and agricultural needs, as well as preservation of sensitive vernal pools. Representative Riggs is well versed on the merits of this project since he was instrumental in getting it off the ground when he represented the Santa Rosa Plain area during the 102nd Congress. I am delighted to inform the Subcommittee that the first phase of this plan has been completed.

Last year, the President's budget request included $250,000 in the Corps of Engineers' Regulatory Budget to complete and implement the preservation plan for the Santa Rosa Plain. This Subcommittee supported that funding request, as did the full

Appropriations Committee, and the House of Representatives. The report to accompany the FY 96 Energy and Water Development Appropriations bill specifically states that the Appropriations Committee supports the work being performed by the Corps on the preservation plan for the Sonoma County vernal pools and directs the Corps Regulatory program to provide the funds that will be necessary to complete and implement the plan.

Nevertheless, the Corps of Engineers recently informed me that, due to budget shortfalls, they are intending to make only $100,000 available for this effort. I am very concerned that this may not be enough to complete the necessary tasks that remain. A partially completed preservation plan is useless to the people of my district and a waste of taxpayer dollars. It is vital that the Corps abide by Congress' direction to provide the funds necessary to complete the preservation plan so that it can be successfully implemented.

Mr. Chairman, I am hopeful that all the remaining tasks can be completed for the amount the Corps has agreed to release. However, if this is not possible, and the need is demonstrated for more than $100,000, then I would request the Subcommittee provide in FY97 up to $150,000 in Regulatory Program funds to ensure completion of the Santa Rosa Plain preservation plan.

Petaluma Flood Control Project
The second bit of unfinished business concerns the Petaluma Flood Control Project. The City of Petaluma has been working for over a decade to develop a flood control project to prevent recurring flooding which poses serious risk to life and property.

Construction of the Petaluma Flood Control Project has finally begun with the removal of the Payran Bridge. All major roads leading up to the bridge have been closed. This has been necessary in order for Corps channel construction to begin.

As you know, under most Section 205 projects, the local sponsor is responsible for 25 percent of the total project cost. What makes the Petaluma Flood Control Project so unique is that the City of Petaluma has accepted the burden of providing approximately 75 percent of the total project cost and more than 80 percent of the total construction cost. Mr. Chairman, this is a very unusual reversal of the traditional cost-sharing arrangement.

The cost sharing agreement on this critical section 205 project was scheduled to be signed in May 1995, but has been repeatedly postponed as a result of the Corps budget which was cut in the other body. At this point the project has been considerably delayed. The City of Petaluma has already invested huge sums of money in this project, based primarily on prior commitments made by the Corps of Engineers.

I understand the Corps has made a request to reprogram Section 205 funds. I would urge the Committee to approve this request since it will enable the Corps to help meet the FY96 requirements for the Petaluma Flood Control Project. In addition, I expect the Administration's FY97 budget request to include $1.6 million for construction of the Petaluma Flood Control Project.
I respectfully request that the subcommittee provide the full amount in FY97 to enable this project to get back on track.

San Clemente Creek Flood Control Project
Now, turning to this year's business, I would like to ask for your continued support of San Clemente Creek Flood Control Project.

Corte Madera is located in Marin County which is part of the Congressional District I represent and an area where I lived and raised my family for several years. I know firsthand that portions of this town have serious flooding problems which can occur in both wet and dry weather and will substantially increase over time as settlement continues. There are more than 500 homes in the study area that are seriously affected by the flooding problem.

I would like to thank the Subcommittee for providing funds last year for a feasibility study and project design that will help solve flooding problems along the San Clemente Creek in Corte Madera. I am pleased to report that the feasibility study is scheduled for completion later this year, and will be followed immediately by pre-construction engineering and design.

I respectfully request that the Subcommittee provide $900,000 for continuation of the pre-construction engineering and design for the Marin County Shoreline - San Clemente Creek Storm Damage Reduction Study. Again, Mayor Richardson will provide further details later today about this important project, and I urge you to support him in his request.

Russian River Environmental Restoration
The next project of importance concerns the Russian River. Again, I appreciate the Subcommittee's assistance with this important project. Last year the Subcommittee provided funds to the Corps of Engineers General Investigation budget to initiate the Russian River Environmental Restoration Study. The Corps constructed and is operating two municipal reservoirs on the 110 mile long Russian River. Current dam operations have contributed to river bank failure, channel scour, and loss of private property and riparian habitat. In addition, these operations have had a serious effect on several species of once abundant anadromous fish.

I understand it is likely, that the Administration's FY97 budget will include $350,000 for Russian River Environmental

Restoration. If provided, these funds will be used to gather critical new information and determine the appropriate federal involvement in and maintenance of the Russian River. I urge the Subcommittee to provide the $350,000 necessary to complete this essential effort.

Bolinas Lagoon Study

Next, you may recall that last year I testified in support of a Corps of Engineers study designed to help save one of our nation's natural resource treasures--the Bolinas Lagoon. Located in Marin County, the Bolinas Lagoon is one of nature's magnificent wonders. Bolinas Lagoon provides a unique coastal environment for fish, waterfowl, and marine mammals that is unparalleled along the Northern California Coast.

In addition, the Bolinas Lagoon is unique in that it adjoins the Pt. Reyes National Seashore, the Gulf of the Farallones National Marine Sanctuary, the Tamalpais State Park, and the Golden Gate National Recreation Area. These side-by-side protected areas along with a healthy Bolinas Lagoon enable an essentially intact ecosystem to exist. Few other places in our nation offer this important opportunity for natural resource management.

This national treasure, which has existed for more than 5,000 years, is in imminent danger. In the past 100 years, the destructive practices of humans combined with natural forces have caused the lagoon to fill with sedimentation which is choking the lagoon to death. This has occurred despite efforts by the local community to preserve the health of the lagoon, through efforts including, watershed management, erosion control, and construction of a sedimentation basin.

Not only will the loss of the lagoon harm the area's ecosystem, but it also will impact the economy of Marin County. The impact on sport and commercial fishing is already evident. The nearly one million visitors per year who come to Marin County to visit the Bolinas Lagoon and the neighboring Stinson Beach would be lost. Property rentals, restaurants, souvenir sales and other businesses would also be hard hit.

Mr. Chairman, in order to prevent the destruction of the Bolinas Lagoon, I request that the Subcommittee appropriate $450,000 for the Corps of Engineers to conduct a study to determine the most effective way to restore the health of Bolinas Lagoon. You will be hearing testimony later today from Jerry Pope confirming the importance of Bolinas Lagoon and supporting this request for funds.

Corte Madera Creek Flood Control Project

Finally, I would like to ask the Subcommittee to provide funding for the Corte Madera Creek Flood Control Project. Just yesterday, the Marin County Board of Supervisors Board voted unanimously to proceed with a modified Corte Madera Creek Flood Control Project. I will forward the Subcommittee a copy of the resolution that was adopted by the Board yesterday. Now that the Board has taken action, I am very interested in seeing that the Corps receive the funding they will need to proceed with this important project.

The original Corte Madera Creek Flood Control Project was authorized by the Flood Control Act of 1962 and was divided into four construction units. Units 1, 2, and 3 were completed by 1971. Before the fourth unit could be completed, the Corps was asked to redesign the unit to preserve the natural character of the creek. Since then, the Corps determined that, at best, the concrete channel already constructed would only provide protection against a seven year storm. Now, that the community has reached consensus to proceed with a project of approximately 40 year level of protection, I would very much appreciate the Subcommittee providing $400,000 for resumption of this project.

Mr. Chairman, thank you for your consideration of these projects of great importance to the Sixth Congressional District. I appreciate the opportunity to be here today.

Mr. RIGGS. Thank you very much, Congresswoman Woolsey.

Let me just ask, since, as you point out in your testimony, you also requested funding for the Bolinas Lagoon study last year. Has that particular project been authorized?

Ms. WOOLSEY. It's—no, it has not been authorized. And it will be. I mean, we are—they are working on it at the same time I am doing this. It is in—virtually at the same time. So I think it will be authorized. I know we won't get money if it isn't authorized. I am smart enough to know that.

Mr. RIGGS. Thank you again.

Mr. FAZIO. We can do pending authorization.

Mr. RIGGS. Pending authorization. Okay.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

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HON. TOM LANTOS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. Congressman Tom Lantos.

Mr. LANTOS. Thank you very much, Mr. Riggs, former Chairman Bevill, Mr. Fazio. As always, Vic Fazio beat me to the punch because I was going to express our deep appreciation to Tom Bevill and the Chairman.

Mr. BEVILL. You can do it again.

Mr. LANTOS. Well, Tom, I have a special reason for thanking you, because as you recall, when I came here as a freshman, you were the one who introduced me to the intricacies of this institution and I am deeply grateful to you.

I also want to add that in losing John Myers and Tom Bevill, we are losing two colleagues who exemplified the civility, the collegiality, the graciousness that used to characterize this institution and which we hope to restore before too long.

Mr. Chairman, I am testifying on behalf of two projects, and since my neighbor and colleague, Congressman Pelosi, also will testify about one of these projects, I shall be extremely brief.

The first project I am asking for your support is the San Francisco Area Water Reclamation Project, which is $1.5 million, and I would just like to say a few words about it.

This project is an exemplary example of cost-sharing between local and Federal Government. It provides recycled water and is integral to other Bureau of Reclamation-funded studies. The project, which is known as the Central California Regional Water Recycling Project, is a partnership of some 28 agencies, including 15 Bay area water and waste-water agencies. Its benefits would reach far outside the City of San Francisco and provide beneficial recycled water to the northern and central portions of our State.

This high quality of recycled water is an extremely valuable resource that can be used to meet agricultural requirements, salinity control measures, provide important drought protection and secure critically needed emergency water reserves for use during fires and other disasters, of which we have had more than our share in Northern California.

The San Francisco Area Water Reclamation Project already has achieved great accomplishments through the first step of the feasibility study, including identifying measures to help maximize local use of recycled water, projecting its expected quality in the Bay Area, and identifying significant water supply benefits.

The second item I am requesting funding for is the City of Pacifica-San Pedro Creek Flood Control Project in the amount of $4.1 million. The San Pedro Creek Wetlands Restoration and Flood Control Project is truly a model of local and Federal partnership. It is an economically beneficial partnership for the Federal Government and will provide vital flood control and wetland restoration, along with important environmental protection.

The project has great benefits, both locally and federally. The City of Pacifica has invested $600,000 in this project, which matches the Federal Government's investment over the 12 years of development already completed.

An almost unique feature of this project, and I truly wish to underscore this, Mr. Chairman, is that it will pay for itself in only two years. The reason for this is that the Federal Government currently pays $2 million per annum for federally insured flood damage to this area. Thus, the funding of this project by the Federal Government will quickly see the benefits of its investment.

This flood control project will consist of flood protection, flood channel at the lower-level reach of the creek, along with wetland restorations. I respectfully request full funding for both of these projects, and I want to thank the committee for its past support of our area.

Mr. RIGGS. Thank you, Mr. Lantos, for your testimony. You note in your testimony that the coastal conservancy is also put in.

Mr. LANTOS. That is correct.

Mr. RIGGS. Do you know the actual amount or percentage?

Mr. LANTOS. We will submit that to you today.

Mr. RIGGS. All right. Thank you.

[The statement of Mr. Lantos follows:]

CONGRESSMAN TOM LANTOS
12TH DISTRICT OF CALIFORNIA

TESTIMONY BEFORE THE SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT COMMITTEE ON APPROPRIATIONS
March 6, 1996

Mr. Chairman, I appreciate the opportunity to testify this morning before the Subcommittee on Energy and Water Appropriations. As you may know, I have the distinct pleasure of representing a very unique district, consisting of the southwest portion of San Francisco and extending southward down the San Francisco peninsula through San Mateo County. I am here today to testify for funding on behalf of two projects: **$1.5 million for the San Francisco Area Water Reclamation Project and $4.1 million for the City of Pacifica Flood Control Project.**

The first item I would like to request is funding for **The San Francisco Area Water Reclamation Project** in the amount of **$1.5 million**. Funding for this project will allow for the continuation of the feasibility study, which will identify California regions that could use high-quality recycled water.

The San Francisco Area Water Reclamation Project is an exemplary example of cost-sharing between local and federal branches of government. It provides portions of the state with high-quality recycled water and is integral to other Bureau of Reclamation-funded studies.

This project, also known as the Central California Regional Water Recycling Project (CCRWRP), is a partnership of nearly 20 agencies, including 15 Bay Area water and wastewater agencies. Its benefits would reach far outside the City of San Francisco to provide beneficial recycled water to the Northern and Central portions of the state.

This high-quality recycled water is a valuable resource that can be used to meet agriculture demands and salinity control measures, provide important drought protection and secure additional emergency water reserves for use during fires or other disasters. In addition, the San Francisco Area Water Reclamation Project is vital to other Bureau of Reclamation funded studies. These studies are attempting to link potential sources of water supply to areas of greatest need.

The San Francisco Area Water Reclamation Project has achieved great accomplishments through the first step of the feasibility study including; identifying measures to help maximize local use of the recycled water, projecting its expected quality in the Bay Area and identifying significant water supply benefits. Funding for the project in FY '97 would provide necessary means for the next step of the

The second step of the feasibility study entails further defining and evaluating the social, economic and environmental issues that may provide an impetus for exporting recycled water to other areas of the state. The second phase will also provide a Regional Recycling Water master Plan, linking local recycling with other export options under review, and define the best projects for export.

The second item I would like to request is funding for the **City of Pacifica, San Pedro Creek Flood Control project** in the amount of **$4.1 million**.

The San Pedro Creek Wetlands Restoration and Flood Control Project is truly a model of a local and federal government partnership. It is an economically beneficial project for the Federal Government and will provide vital flood control and wetland restoration along with important environmental protection.

The project has significant economic and environmental benefits both locally and federally. The City of Pacifica has invested $600,000 in this project, which matches the Federal Government's investment over the 12 years of development already completed. Additional funds have also come from the Coastal Conservancy for wetlands design.

The most significant element of this project, is that it will pay for itself in only two years. The reason for this is that the Federal Government pays $2 million annually for Federally insured flood damage to this area. So, by funding this project, the Federal Government will quickly see the benefit of their investment.

This flood control project will consist of flood protection and a flood channel at the lower reach of the creek along with wetland restoration. A diversion pipe placed at the upper reach of the creek will provide bank protection, which will guard the banks from erosion due to high flood levels.

The San Pedro Creek Flood Control project will also provide significant environmental benefits. It provides much needed protection for the Steelhead trout. This fish is a Federally controlled threatened species and San Pedro Creek is one of the few creeks south of San Francisco that still supports Steelhead spawning. This project widens the creek, restores approximately 7 acres of wetlands and flood plain, provides resting pools and native cover. The project will also restore the lower reach of one of the few remaining tidally influenced fresh water creeks in urban California and will include wetland restoration, flood protection and a flood channel.

This flood control project is fully supported by local business and resident's of Pacifica, the Fish and Wildlife Service, the U.S. Department of Fish and Game and the Sierra Club.

Mr. Chairman, I thank you for your time and urge you to provide full funding for both of these worthy and essential projects: **The San Francisco Area Water Reclamation Project and the Pacifica, San Pedro Creek Flood Control Project.**

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. ANTHONY C. BEILENSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. We turn next to our friend and colleague from the Rules Committee, Tony Beilenson.

Mr. BEILENSON. Thank you very much, Mr. Chairman, Mr. Bevill and Mr. Fazio. I appreciate this opportunity to testify before your subcommittee today in support of funding for recreational development and environmental enhancement at Sepulveda Flood Control Basin, which, as many of you know, is an Army Corps of Engineers project located in the middle of our district in the San Fernando Valley. We appreciate hugely your help in this matter in past years and hope that you will be able to lend us a little bit more support at this time.

With funding that the Congress, that you folks have appropriated over the last decade and more, the Corps has been able to turn an underutilized, federally owned piece of land in the Sepulveda Basin into one of Southern California's most beautiful and popular parks. It is called Lake Balboa Park. The relatively modest sum provided by the government since 1985, a total of $15.5 million, all of which has been matched 50–50 by the City of Los Angeles, has enabled the Corps to build a 160-acre park that includes a 26-acre fishing and boating lake, and an adjacent 68-acre wildlife reserve which includes a smaller lake.

You should know that you have done something really special here. This project, which uses reclaimed water for the lakes and landscaping irrigation, has received national recognition twice now for its outstanding design—once from the National Endowment for the Arts and once an honor award from the Chief of Engineers Design and Environmental Awards program.

This is the first time, Mr. Chairman and friends, in four years that I have been here to ask you for a little bit of additional funding. The project is not yet complete. It is almost, but not quite complete. The park needs more amenities, such as turf, trees, parking, rest rooms, picnic tables, seed berms and bicycle trails, and the wildlife area needs more trails, vegetation and interpretive signs; and for those items I would like to request $4.2 million, an amount that again would be matched by the Corps' cost-sharing partner, the City of Los Angeles, under the Code 710 program. My prepared statement speaks about specific language that might be needed if you are able to provide us with some of the monies, and I shan't read it at this time.

In addition, I would like to ask $3.5 million for the Federal share of an environmental restoration project within the Sepulveda Basin, rehabilitating the two miles of the Los Angeles River that run through the basin. This project, which would be conducted under section 1135 of the continuing authority program, would entail stabilizing and replanting the banks, restoring natural habitat, and establishing a nature trail so this resource could be used and enjoyed by the public.

Let me say parenthetically that I had the opportunity three or four years ago to canoe on this stretch of river, and it is, or would be, absolutely magnificent. It is hard for some of you from other places to understand, but most people in Southern California have never been in a canoe nor have they been canoeing down a lovely little river with trees hanging over it. I can't tell you how idyllic it was.

I hope nobody from back home is around, because it sort of took you out of Southern California and put you back to other, nicer places that you remember from your childhood.

But in any case, funding for these——

Ms. ESHOO. Northern California.

Mr. BEILENSON. Exactly.

Funding for these two projects would go a long way toward meeting the recreation needs of nearly two million people in the San Fernando Valley, an area which has great need for the open space and outdoor recreation facilities that the Basin can provide and has now, in fact, been beginning to provide.

It would enable the Corps also—and finally, Mr. Chairman and members—to complete an award-winning project that is not only a tremendous asset to Los Angeles, but also a great source of pride, if I may say so, to the Corps, who have done a wonderful, really very special job here with your great help.

And I thank you very much for this opportunity to testify.

Mr. FAZIO. Mr. Chairman, I just wanted to say, Tony has brought a number of very beneficial and tightly developed projects to this committee through the years, but most of all, he has been a great help to us on the Rules Committee; and since this is the last time you will be appearing here, I think on behalf of this entire committee, we want to thank you for the help you have provided all of us in helping our bill make it to the Floor and pass, usually with overwhelming numbers. We are going to miss you, Tony.

Mr. BEILENSON. And we will miss all of you.

Mr. BEVILL. Mr. Chairman, I would like to add to that and endorse what Vic has said. Many times he was very instrumental in getting our bill out on schedule so that we could, as a matter of fact, be the first appropriation bill signed by the President. And without your help, we couldn't have done that. So we appreciate the good job and the cooperation you gave us, Tony.

Mr. BEILENSON. Thank you, my good friend. Thank you very much.

[The statement of Mr. Beilenson follows:]

STATEMENT OF CONGRESSMAN ANTHONY C. BEILENSON BEFORE THE SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT OF THE HOUSE APPROPRIATIONS COMMITTEE

March 6, 1996

Mr. Chairman, I appreciate the opportunity to testify before this subcommittee today in support of funding for recreational development and environmental enhancement in the Sepulveda Flood Control Basin, an Army Corps of Engineers project located in the San Fernando Valley. We very much appreciate this subcommittee's help on this matter in the past, and hope that you again will lend your support to it.

With funding that Congress has appropriated over the last decade, the Corps has been able to turn under-utilized, federally-owned land in the Sepulveda Basin into one of Southern California's most beautiful and popular parks, Lake Balboa Park. The relatively modest sum provided by the federal government since 1985--a total of $15.5 million, which has been matched by the City of Los Angeles--has enabled the Corps to build a 160-acre park that includes a 26-acre fishing and boating lake, and an adjacent 68-acre wildlife reserve, which includes a smaller lake.

I would note that this project, which uses reclaimed water for the lakes and landscaping irrigation, has received national recognition for its outstanding design. Last year, the project was awarded a Federal Design Achievement Award by the National Endowment for the Arts and, in 1994, it received an Honor Award from the Chief of Engineers Design and Environmental Awards Program.

However, this project is not yet complete. Lake Balboa Park needs more amenities such as turf, trees, parking, restrooms, picnic tables, seed berms, and bicycle trails. And, the wildlife area needs more trails, vegetation, and interpretative signs. For those items, I would like to request $4.2 million--an amount that would be matched by the Corps' cost-sharing partner, the City of Los Angeles, under the Code 710 program.

Although no further specific authorization is needed for this project, in previous years during which funding was provided (Fiscal Years 1985, 1987, 1991, 1992, and 1993), it was necessary for the subcommittee to include language in the appropriations bill itself providing that funds be used for recreational development in the Sepulveda Basin in order to ensure that the Corps would spend the funds according to Congress' direction. Assuming that is still the case, I would like to request that the appropriations bill contain the necessary language, and that it specify that the funds are to remain available until expended.

In addition, I would like to request $3.5 million for the federal share of an environmental restoration project within the Sepulveda Basin--rehabilitating the two miles of the Los Angeles River that run through the Basin. This project, which would be conducted under Section 1135 of the Continuing Authority Program, would entail stabilizing and replanting the banks, restoring natural habitat, and establishing a nature trail, so that this resource can also be used and enjoyed by the public.

Funding for these two projects would go a long way toward meeting the outdoor recreation needs of the nearly two million people who reside in the San Fernando Valley--an area that has a great need for the open space and outdoor recreation facilities that the Basin can provide. And, it would enable the Corps to complete an award-winning project that is not only a tremendous asset to Los Angeles, but also a great source of pride for the Corps.

Thank you, again, for this opportunity to testify and for your consideration of my request.

Mr. RIGGS. We hope we can count on that same support this year.

Mr. BEILENSON. You bet.

Mr. RIGGS. I must say that people normally do not associate the Los Angeles River with whitewater rafting.

Mr. BEILENSON. It is a little different, actually, Mr. Chairman, but it is very nice nonetheless.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

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HON. BILL BAKER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. Turning back to Northern California, our good friend Congressman Bill Baker.

Mr. BAKER. Thank you, Tony. And thank you, for describing Northern California in such glowing terms.

Mr. Chairman, I appreciate this opportunity to appear today to report on the development of the National Ignition Facility, begun by Congress in 1996. It is proceeding on schedule and on budget.

In the months since you last reviewed it, the 1995 arms control, energy development, and science rationales have all been reinforced. The Department of Energy again has plans to request full funding of $191 million for the National Ignition Facility in its fiscal year 1997 submission. The request should appear in two components: first, $132 million for the NIF line item construction funds; and second, a $59 million portion for the approximately—of the approximately $240 million base Inertial Confinement program request. After 2000, construction costs will decline sharply until its completion in 2002.

Mr. RIGGS. Mr. Baker, will you give us those two numbers one more time, because I note that that is not actually in your testimony.

Mr. BAKER. No, $132 million for construction and $59 million of the $240 million total later on in that Inertial Confinement Fusion. That is—if you add the 59 and 132 you should get up close to our 191. Okay?

Mr. RIGGS. Please continue.

Mr. BAKER. The 240 is the total Inertial Confinement project, which is separate.

Mr. RIGGS. Right.

Mr. BAKER. The 191 is 132 million for construction, 59 for inertial. Okay?

Mr. RIGGS. All right.

Mr. BAKER. One of the main facilities in DOE's Stockpile Stewardship Program, a means of maintaining the existing stockpile of nuclear weapons without the actual testing that is required to develop new weapons, is the NIF centrality to U.S. arms control policy. First, the Clinton administration has finally determined a test ban means no testing, period. Second, after a year-long process involving the Departments of Defense and State and the Arms Control and Disarmament Agency, the Department of Energy has concluded that NIF furthers U.S. arms control objectives. Indeed Ambassador Thomas Graham, our chief arms control negotiator, is one of NIF's strongest advocates, and the Arms Control Development Agency Director, John Holum, says NIF is key to a comprehensive test ban treaty.

The NIF is also the primary instrument for determining whether Inertial Confinement Fusion, the second part of the project, will be a viable energy source. The energy potential of inertial fusion was validated in the recent report of the Fusion Energy Advisory Committee, which noted that inertial fusion is the primary alternative to the magnetic fusion program.

In that connection, I urge this subcommittee to provide sufficient funding on the civilian inertial fusion budget to develop the rapid fire beams this power source will require in time to be phased in with the lessons NIF can teach us.

In short, Mr. Chairman, for stockpile stewardship, for arms control and for inertial confinement fusion energy, I ask that you keep the National Ignition Facility on track and within budget.

Thank you very much.

Mr. RIGGS. Thank you for your testimony, Mr. Baker.

And as you will recall, the subcommittee made the first commitment last year to the NIF, which has arguably increased in importance in terms of our national defense and nuclear weapon stockpile stewardship program over the past year, with decisions made by the administration.

Mr. BAKER. Well, the Department of Energy and the Defense Department both came before us and said, we are probably not going to be able to test much longer. I think France proved that to the nth degree. So we are going to do that in the laboratory, and with this fusion beam we are going to be able to keep this stockpile current. We are going to be able to disarm those weapons that are all over the globe, especially in Eastern Europe, and we will be able to have inertial fusion all out of this project.

So I appreciate the committee's support and the support of the Departments of Energy and Defense, and especially Mr. Fazio who has helped us tremendously through his position on Rules. Thank you.

Mr. RIGGS. Thank you for your testimony.

Mr. BAKER. Wherever you are.

Mr. FAZIO. Wherever I am.

Mr. BAKER. Wherever you are, wherever you will be.

Mr. RIGGS. I did not realize we were Rules and Appropriations. That is covering all the bases.

Mr. FAZIO. We like to operate without rules, actually.

Mr. BAKER. Those days are over.

[The statement of Mr. Baker follows:]

TESTIMONY OF U.S. REPRESENTATIVE BILL BAKER BEFORE THE SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT HOUSE COMMITTEE ON APPROPRIATIONS

THE HONORABLE JOHN T. MYERS, CHAIRMAN

March 6, 1996

Mr. Chairman, I appreciate the opportunity to appear before the Energy and Water Subcommittee today to report that development of the National Ignition Facility (NIF) begun by Congress in fiscal 1996, is proceeding on schedule and on budget, and that in the months since you last reviewed it, its arms control, energy development and science rationales have all been substantially reinforced.

I am informed that the Department of Energy (DoE) again plans to request full funding for the NIF in its fiscal 1997 submission. That amount would total $191 million, compared to $61 million in fiscal 1996, and would bring NIF construction-related expenditures to the funding plateau that it will occupy until the year 2000. After 2000, construction costs would decline sharply until completion in 2002.

I strongly urge full funding of this request so that the NIF can remain on schedule and budget -- prime among this Subcommittee's concerns last year in appropriating first year funds. Both our nation's bi-partisan arms control policies and long-term fiscal situation would be well served by investing in the NIF.

The Subcommittee is aware that the NIF is one of the primary facilities in the DoE's Stockpile Stewardship Program (SSP), proposed as the means of maintaining the existing stockpile of nuclear weapons without the actual testing that is required to develop new ones. The NIF's centrality to the SSP and to U.S. arms control policy have clarified considerably in recent months. First, the Clinton Administration has determined that a test ban means no testing of any weapon, no matter how small. A ban means zero. This is an essential point because during the Subcommittee's deliberations on the NIF last year, some voices were still arguing that tests below a certain threshold should be allowed under the test ban, creating the impression that the U.S. commitment to test bans, the SSP, and therefore, the NIF was still in doubt. There is no doubt now, a fact reinforced by the French and British agreement with the "zero-means-zero" ban.

Second, following a year-long process involving the Departments of Defense and State, and including the direct participation of the Arms Control and Disarmament Agency (ACDA), the DoE's Office of Non-Proliferation has concluded that the NIF furthers U.S. arms control objectives. You will recall some critics who maintained that the NIF would be a proliferation risk by allowing continued, clandestine development of nuclear weapons in our laboratories while the rest of the world was constrained from conventional testing by treaty. By creating this inequity, critics warned, other nations would balk at arms control and the NIF would sabotage the non-proliferation treaty.

However, the DoE's review concluded that the NIF could not be used to design new weapons and would augment scientific knowledge in a manageable way. Therefore, the NIF's fundamental positive contribution -- providing a bridge out of the testing era into one of world-wide test bans and non-proliferation agreements -- remains its only significant arms control consequence.

To underscore this procedural finding, Mr. Chairman, the Non-Proliferation Treaty was in fact extended last year, despite the sensationalized predictions to the contrary. The nations of the world have in effect voted on the impact of the NIF. Ambassador Thomas Graham, our chief NPT negotiator, is one of the NIF's strongest advocates. And ACDA director John Holum says that the NIF is key to a Comprehensive Test Ban Treaty. I would be pleased to offer more testimonials and arguments to buttress the NIF's centrality to nuclear arms control should they be desired by your Subcommittee.

As you also know, Mr. Chairman, the NIF is the primary instrument for determining whether Inertial Confinement Fusion (ICF) will be a viable energy source. By achieving ignition, the NIF will tell us how powerful a beam must be in order to reach the point of fusion, plus how much more energy can be derived from the fusion target than was required to generate the beam. This ratio of beam power to energy output is central to the economics of feasible commercial energy because it tells us roughly how large -- and costly -- a plant will have to be in order to obtain the quantity of energy output inherent in the physics of fusion. In addition, the NIF will also greatly advance understanding of target design, knowledge that will transfer directly to the design of power plants with driver beams capable of firing multiple fusion "rounds" per second.

This energy potential of inertial fusion was validated in the recent report of the Fusion Energy Advisory Committee, which noted that inertial fusion is the primary alternative to the magnetic fusion (which I also support) now under active development. In that connection, I urge the Subcommittee to provide sufficient funding on the civilian side of the budget to develop the rapid fire beams that inertial fusion energy will require, in time to be phased in with the yield ratio and target lessons the NIF can teach us meanwhile.

But the SSP/arms control mission remains the NIF's primary rationale. While this rationale is persuasive enough, given the importance of arms control and the costs of the traditional weapons program, it is fortunate that inertial fusion's energy development requirements track directly with the development of the NIF for SSP purposes. This tracking broadens the scientific appeal of this essential national security project.

The NIF has drawn strong interest from an increasing number of scientists in the fields of plasma physics and astrophysics. Scientists from Lawrence Livermore National Lab (LLNL) and the University of Rochester won a major award from the American Physical Society last year for their work in hydrodynamics relevant to ICF, superNova, and nuclear weapons. Scientists from LLNL's

Nova laser facility have won this award twice, the only laboratory with this honor. Recent reports from peer groups have praised the high scientific quality of the program.

As noted above, the NIF is now on schedule and on budget, despite a three month delay in releasing 1996 construction funding caused by the December completion date of the DoE's non-proliferation study. In addition to all the other reasons for supporting the NIF, Congress would be fiscally smart to maintain its scheduled funding profile, as it maximizes the efficiencies of the design, construction, and industrialization components of this complex project. In the long term the NIF and SSP will stabilize the DoE defense program at a level significantly less than in the past. Reductions in the nuclear danger aside, the SSP and NIF represent a great financial savings compared to the levels of spending for the weapons development and construction program of only a few years ago. It is difficult to prove what would happen should the national commitment to the SSP and NIF waver. Nonetheless, it is perfectly logical to assume that regression in our arms control efforts will be far more costly than the NIF and SSP, and that failure to support them firmly will be the most likely route to these more costly alternatives.

The fiscal 1997 request for $191 million should appear in two components, the first as $132 million in the NIF line item construction funds, and the second as a $59 million portion of the approximately $240 million base ICF program request. I urge full funding of the NIF and ICF.

Thank you, Mr. Chairman, for your time.

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WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. ANNA G. ESHOO, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. We now turn to our colleague, Congresswoman Anna Eshoo.

Ms. ESHOO. Good morning, Mr. Riggs, Mr. Chairman, members of the committee. I too would like to join my colleagues in saluting not only the leadership of this committee, but the work that you have done—especially Mr. Bevill and Mr. Myers. You have been great friends to our great State. The people of our State are very grateful to you.

And I would also like to say that—especially to Mr. Bevill, his tutelage to me as a freshman, his help and passing along his great love for this institution, will remain with me always.

Mr. BEVILL. You had better be sure everybody knows what that word is, Anna. Thank you so much.

Ms. ESHOO. I will tell you later, all right?

Mr. BEVILL. Anna is another one that I think has made her case for her project.

Ms. ESHOO. I am here today to request your approval of the $710 million budget in fiscal 1997 for high energy physics. This represents a 40 percent reduction from the heyday of spending on high energy physics in fiscal 1994 and a modest 6.5 percent increase over the fiscal 1996 appropriation. In particular, the $710 million includes $45 million to complete the B-factory project at Stanford Linear Accelerator Center in my district.

Once completed, scientists will have used the B-factory to have discovered the answers to questions about the formation of our universe. After the demise of the Superconducting Super Collider, the Department of Energy conducted or convened the "Drell" panel, and I am sure you are all familiar with Sid Drell, a noted Nobel——

Mr. FAZIO. Physicist.

Ms. ESHOO [continuing]. Physicist prize winner. They convened the Drell panel to review the long-range future of high energy physics. The panel found that $710 million is the absolute minimum necessary to preserve our Nation's basic research in this field. It will also preserve our ability to participate in the proton colliding beam facility at CERN.

In addition to the high energy physics projects, I am here to support the requests also of the Santa Clara Valley Water District. The district is seeking a total of $16.13 million to complete or continue the work on four projects. Each of these projects is based on the fact that there are serious risks of flooding and the projects are designed to reduce those risks.

Both of these requests, I think, are in line, Mr. Chairman and members of the committee. Certainly, the B-factory is a great source of pride to all Californians. It was something that the entire delegation came together around, the academic community as well, so we didn't have in-State competition. We saw this as being something that everyone could support for the good and the betterment of our Nation.

So I would like to thank you and all the members of the committee for your previous commitments and cooperation and for what you will do. Thank you.

Mr. RIGGS. Thank you.

Congresswoman Eshoo, are all four projects of the Santa Clara Water District located in your congressional district?

Ms. ESHOO. No, they are not. Some are, some aren't. But I believe that you will hear from other members of the delegation for what belongs in their districts. But we always remain unified on these fronts and don't come to the committee splintered, which would then make it that much more difficult for you to make your decisions. Thank you.

Mr. RIGGS. Thank you again.

[The statement of Ms. Eshoo follows:]

TESTIMONY
The Honorable Anna G. Eshoo
Energy and Water Appropriations Subcommittee hearing
March 6, 1996

Mr. Chairman and members of the Subcommittee, I am here today to urge you to approve a $710 million budget in FY97 for high energy physics. This represents a 40% reduction from the "hay day" of spending on high energy physics in FY94 and a modest 6.5% increase over the FY96 appropriation.

In particular, the $710 million includes $45 million to complete the B-factory project at the Stanford Linear Accelerator Center in my district. Once completed, our scientists will use the B-factory to discover answers to questions about the formation of the universe.

After the demise of the Superconducting Super Collider, the Department of Energy convened the "Drell" Panel to review the long-range future of high energy physics. This panel found that $710 million is the absolute minimum necessary to preserve our nation's basic research in this field. It will also preserve our ability to participate in the proton colliding beam facility at CERN.

In addition to high energy physics, I am here to support the requests of the Santa Clara Valley Water District. The District is seeking a total of $16.13 million to complete or continue work on four projects.

Each of the areas where these projects are based face the risk of serious and dramatic flooding. These projects are designed to reduce that risk and are critical to protecting human health and the environment.

Both high energy physics and the water projects proposed by the Santa Clara Valley Water District are critical to my constituents. I urge you to support these requests.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. STEPHEN HORN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. Congressman Steve Horn.

Mr. HORN. Thank you very much, Mr. Acting Chairman, and Mr. Chairman, 103rd, and the missing Mr. Chairman of the 104th. I am appreciative to you, Tom and John, to both of you, because to this freshman three years ago—both of you gave me good advice over the years on a number of things, both foreign and domestic. So, John, we wish you well; and, Tom, we wish you well.

Let me just mention a few things. The witnesses that will follow from California, when you get into that, you have known some of them longer than I have, and we deeply appreciate the committee's investment in Southern California.

Let me mention a few things. We required the assistance of the Corps of Engineers because we have had an unbelievable number of floods and storms in Southern California, just as they have in Northern California. We have had a tremendous buildup of silt at the mouth of the Los Angeles River, which has blocked navigation between Catalina and Long Beach. One of the key developments economically, which will provide $275 million annually to the economy, is the Queensway Bay commercial waterfront development, and that—getting rid of that silt is fairly essential to that situation.

The big project, of course, is the Los Angeles County Drainage Area, the LACDA project, where we are trying to solve some of the navigation and particularly flood projects and flood control projects in the Los Angeles River.

We have been fortunate. When it has rained upstream, it hasn't rained downstream. If it had rained in both areas, we would have long exceeded the levee, and that is the Corps of Engineers' judgment. So we face a very hazardous situation here. It affects about eight congressional districts that line the L.A. River on both sides; and 82 square miles of flooding in a very densely populated area with thousands of houses would make an estimated damage cost of $2 to $4 billion. So we need your continued help there so they can pass the 100-year test. In 1997, the LACDA project requires about $50 million.

We started the Compton Creek part of that project this year with the South Bay businesses, as well as the residents. If we had to take flood insurance, put houses on stilts, we would jeopardize the economy all over the place. Rich people do not live in this area. People of low income live in this area. Those houses are very hard to replace along that river.

So another project of tremendous importance, of course, is for the two ports. Port of Long Beach and Port of Los Angeles headquarters are both in my congressional district. But other Members, Ms. Harman, the seat in Wilmington which is now under a special election, all of those have a lot of wharves, the Port of Los Angeles in particular.

These are the Nation's two largest ports. Long Beach is number one; L.A. is number two. In the case of Long Beach, the Water Resources Act in 1986 authorized their 2020 plan, which will really double the size of that port, double the customs revenue. The same thing is happening with the Port of Los Angeles.

So what we are asking for, very respectfully, is an appropriation of $17 million to fund phase two of that plan so there isn't any disruption in the Corps' activity.

The Port of Long Beach also is requesting $1.5 million from the Corps in terms of a feasibility study on the deepening of the ship channel. We have larger and larger vessels bringing oil into the port, and we are going to need a channel at least 76 feet deep. That is a long way from when we were talking 40 and 45 feet, but these tremendous vessels just demand that kind of draft.

Also, the Corps' hydraulic model for both L.A. and Long Beach needs to be kept up at Vicksburg, and that is about a $500,000 in 1997. Now, as to the Port of Los Angeles, their Pier 300/400 fill and implementation is part of their 2020 development, and that will take about almost $28 million, $27,850,000, to complete the engineering design of Pier 400 dredging and the landfill. The Federal share in stage two of the development is set at $108.6 million of the total cost of $550 million, and the port is funding the difference between the $108.6 million and the $550 million. I realize these are big numbers, but these are major economic infrastructures.

Last year, we distributed videotapes to the members in the east and the south, and there isn't a State that isn't affected by the commerce going both ways through the Port of L.A. and the Port of Long Beach. As with the Port of Long Beach, the Port of L.A. requires the completion of dredging to ensure reliable navigation.

In the City of Long Beach, we have major erosion problems, some of it due to the Federal breakwater that was put up in the 1930s and 1940s, but over the past 14 years $5 million has been spent by the city to control that erosion, and that protects about $200 to $300 million in homes along the peninsula there. So we would like a reconnaissance study which will take, the Corps says, about $300,000 for that.

Finally, a very important effort in our area is the Water Replenishment District of Southern California. It has several separate projects to reclaim and productively use wastewater in the Los Angeles Basin. As both of you gentlemen know, L.A. is really a desert, and it is amazing how that has bloomed. Water has been the key.

Governor Brown was correctly mentioned as the key to this California water project. My mentor, Senator Keikel, worked with him on the Senate side on that, and Earl Warren and Goodwin Knight first started that. So all of these projects have been bipartisan for over 40 years and have changed the face of the State. And, of course, these projects are absolutely essential to the—when you are talking about one of the largest metropolitan areas in America.

So I thank you for all you have done. The Los Alamitos project is about a $2.6 million one, and that is coming up in authorization now. It will not have any problem. It is much the same as Ms. Woolsey's project. We have a parallel track going on here.

So thank you for your indulgence.

Mr. RIGGS. Thank you, Mr. Horn, for your excellent testimony.

[The statement of Mr. Horn follows:]

Representative Stephen Horn

Testimony before the House Committee on Appropriations

Subcommittee on Energy and Water

March 6, 1996

"California Day"

Thank you for this opportunity to offer my testimony on a number of important projects affecting my constituents and the citizens of California. You will hear from many representatives of concerned citizens and I appreciate the opportunity to add my views. Without the submission of a detailed budget from the President, it is difficult to tailor my testimony to the work you will perform in the weeks ahead.

There are a number of issues requiring assistance from the Corps of Engineers that are important to the economic development of my District and of California. First, the storms of 1995 led to a build up of silt which closed the mouth of the Los Angeles River to navigation. The Corps of Engineers was very helpful in averting an economic crisis by clearing the channel enough to allow a minimal level of navigation. However, most of the silt still remains and continues to be deposited in the channel. In the very near future, this build up will again disrupt water transportation between Long Beach and Avalon, while also threatening to restrict recreational boating in the harbor area. Possible accidents and the ensuing litigation are of great concern to those who use this area and the surrounding business community.

To remove the current threat to navigation, and to prevent future accumulations that can cause unpredictable shoaling to occur, I seek your support for $5.7 million to clear the current buildup and to remove silt deposits in the harbor area on an annual basis. This amount will ensure that a minimum level of safety is maintained for navigation and recreational boating.

Also dependent on the navigability of the Los Angeles River mouth is the success of the Queensway Bay commercial waterfront tourist facility that is being constructed by the City of Long Beach. The facility will create substantial economic expansion based on California's number one industry -- tourism. When fully developed, the facility will generate $275 million annually into the economy. The successful completion of this project now hangs on the dredging of the Los Angeles River estuary.

I would also appreciate the continued support of this subcommittee for the Los Angeles County Drainage Area (LACDA) project -- a major renovation of the existing flood control channel along the Los Angeles River. As the surrounding communities are under the imminent threat of flood, as well as the impending doom of massive flood insurance requirements, I would like to see this renovation moved along as quickly as possible. Should the 100-year flood occur, it would flood an area of 82 square miles of densely populated urban areas affecting over 500,000 people and cause an estimated $2 billion in damage.

The Los Angeles River flood control channel -- and my South Bay community -- is the recipient of much of the runoff from the Los Angeles Basin, as mentioned above. As Los Angeles County has grown, more runoff has been put into the river, thus decreasing the flood control project's protection standard below the 100-year mark. The Corps of Engineers and local communities have worked aggressively to reduce the cost of this project. Extensive studies have been done and construction has recently begun. To allow construction to continue on a pace to be completed in five years, the LACDA project requires $50 million in FY1997. By completing the project in five years, my constituents and those of neighboring districts will save an estimated $131 million per year in higher flood insurance premiums. To avoid the severe damage and disruption that would result from a 100-year flood, and to save the residents and businesses of the South Bay area millions in extra insurance premiums, I urge this subcommittee to continue the support it has shown in the past for the LACDA project.

Another project of importance to Southern California, indeed, the entire nation, involves the Port of Long Beach. The Water Resources Development Act of 1986 authorized construction of the 2020 Plan. This long range plan provides for new navigation channels and additional landfill development to meet the needs of the Port of Long Beach through the year 2020. The Port has begun the first phase of this two-phase project. I ask this committee to approve an appropriation of $17,000,000 to fund phase two of the Plan without any disruption between phase one and phase two.

The Port of Long Beach is also requesting $1.5 million in Corps of Engineers funding to do a feasibility study of deepening the ship channel outside the breakwater to accommodate deeper draft ships which is part of the larger 2020 project. This deeper ship channel -- at least 76 feet deep -- will allow deeper draft petroleum ships to enter the Port.

This subcommittee is also aware of the Corps of Engineers' hydraulic model of the Ports of Los Angeles and Long Beach maintained in Vicksburg, Mississippi. I ask your continued support for this project by appropriating $500,000 for FY1997 to maintain the model and to continue funding for the wave gage data acquisition and analysis program. This prototype is needed to support the expansion plans under construction in San Pedro Bay.

I wish to also bring to the attention of this committee the continuation of the Pier 300/400 implementation under the 2020 development program at the Port of Los Angeles. As the Committee knows, the 2020 project will more than double the capacity of this Port. I ask your continuing support for this project as it moves into Stage II of development. This stage will mark the first significant injection of federal funds into this important project.

The Port of Los Angeles requires $27,850,000 to complete the engineering and design of the Pier 400 dredging and landfill project and to begin Stage II improvements in the coming fiscal year. By doing so, the Committee on Appropriations will realize lower overall costs through construction efficiencies, thereby reducing outlays in future years. Completion of this project by FY2000 is critical to ensure the successful completion of proposed commercial agreements. The federal share of Stage II development is set at $108.6 million of a total cost of $550 million. The Port of Los Angeles is funding the difference between the federal and total shares.

As with the Port of Long Beach, the Port of Los Angeles requires the completion of dredging to ensure reliable navigation. The Glenn Anderson Ship Canal and other federal channels at the Port require $2,700,000 for completion of maintenance dredging to a depth of 45 feet. I also would urge this subcommittee to support an additional appropriation of $800,000 to conduct a federal channel condition survey and a federal breakwater rehabilitation study.

There are two other projects that I wish this subcommittee to consider. The City of Long Beach has a severe beach erosion problem at its southeastern edge, on the so-called Peninsula Beach. In the past 14 years, over $5 million has been spent by the City of Long Beach to control the erosion of this beach, which protects over $200 million in homes. The City needs the Corps to study how this continual erosion can be reduced or eliminated. For this reconnaissance study, I request $300,000. This erosion problem is directly related to the focusing affect the federal breakwater has on the commercial harbor complex and surrounding beaches.

Finally, this subcommittee will be hearing from the Water Replenishment District of Southern California regarding several separate -- but parts of a whole -- projects to reclaim and productively use wastewater in the Los Angeles Basin. Water which is now released to the ocean could be injected into the ground, replacing water we now are forced to import from Northern California and the Colorado River. I wish to bring the Alamitos Barrier Recycled Water Project, which will be built in the City of Long Beach, to this committee's attention again. I introduced authorization for this project in H.R. 1879. This bill is now part of the committee version of H.R. 2738, which is expected to be voted on by the full House in the next month. The Alamitos project requests $2,625,000 for FY1997. Through FY1998, a toal of $3,150,000 in federal funding is needed to finance 25 percent of the cost of this project.

I appreciate you taking the time and giving your attention to these issues. I look forward to working with you all in the months ahead as you address these important projects.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. DANA ROHRABACHER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. We now move to the senior member of the surfing caucus, Dana Rohrabacher.

Mr. ROHRABACHER. Hey, thanks a lot.

Mr. FAZIO. The junior member is here, too.

Mr. RIGGS. I said the senior member.

Mr. ROHRABACHER. I see the chairman of the surfing caucus, now that we have got Bilbray here.

Mr. Chairman, distinguished members of this subcommittee, thank you for this opportunity to testify today. I am here to request—by the way, before I request for myself, I would like to request that the statements by Mr. Thomas and Mr. Radanovich, who were unfortunately not able to attend today, would be placed in the record.

Mr. RIGGS. Without objection.

Mr. ROHRABACHER. So I am here to request your continuing assistance for a vital project in Southern California, the Santa Ana River Mainstem project.

The Army Corps of Engineers has described the Santa Ana River as the most dangerous flood threat west of the Mississippi, and by providing the necessary funding to continue construction of the Santa Ana River Mainstem project, this subcommittee is contributing to the protection of millions of lives and protecting against an economic catastrophe that would mar the economy far beyond Southern California. For fiscal year 1997, the request will be approximately $50 million.

Let me note that the project is today ahead of schedule and under budget. The Army Corps of Engineers has done a terrific job, and our people are not only having their families and their homes protected; it is my pleasure today to be able to announce that the Mainstem project is now over 50 percent complete and that the Federal Emergency Management Agency has agreed to begin the process of reducing the rates of costly flood insurance in my area which—the homeowners all of these years have not only been paying their taxes, but have been paying these oppressively high flood insurance rates, and we now are beginning to bring that down a little bit.

I would like to personally thank Chairman Myers and Chairman Bevill for not only protecting the safety of the families and homes in my area, but also now to help us bring down this costly flood insurance which will let these families have a little bit more of their take-home pay to take care of their family needs.

So thank you both very much for what you have done in backing this really important project.

And, Mr. Bevill and Mr. Myers, you know I really mean that seriously.

Mr. MYERS. Thank you.

Mr. BEVILL. Thank you.

Mr. ROHRABACHER. I am here to support also the City of Huntington Beach, and you will hear from some able representatives from Huntington Beach, which is Surf City, USA, I might add. They are making a request for $900,000 in an appropriation for a water infrastructure reliability study. Public law 101–60 authorizes these studies of seismic safety of Southern California's cities' water, sewer and drainage systems. The Cities of Norwalk and Arcadia have received appropriations pursuant to this law in fiscal year 1995, and I believe that the City of Huntington Beach is just as deserving and has a case to be made that they deserve this as well.

Lastly—lastly, I would like to join my colleague, Chris Cox, in supporting various requests from the City of Newport Beach, and I would draw particular attention to the request for $5.5 million for the Surfside/Sunset Beach to Newport Beach Erosion Control project.

I appreciate this opportunity to testify. I have always appreciated your support, Mr. Myers and Mr. Bevill, as well as the other members here. So thank you very much.

Mr. MYERS. Thank you.

Mr. RIGGS. Thank you, Mr. Rohrabacher.

[The statement of Mr. Rohrabacher follows:]

The Honorable Dana Rohrabacher

Statement before the House Appropriations Subcommittee
on Energy and Water Development
March 6, 1996

Mr. Chairman and distinguished Members of this Subcommittee, thank you for the opportunity to testify today.

I am here to request your continuing assistance for an important project in Southern California -- the Santa Ana River Mainstem Project. The Army Corps of Engineers has described the Santa Ana River as the most dangerous flood threat west of the Mississippi. By providing the necessary funding to continue construction of the Santa Ana River Mainstem Project, this Subcommittee is contributing to the protection of millions of lives and protecting against an economic catastrophe that would mar the economy far beyond Southern California. For Fiscal Year 1997, the request will be approximately $50 million.

The Mainstem project is now 50% complete. At my request, the Federal Emergency Management Agency has agreed to begin the process of reducing the rates of the costly flood insurance homeowners are required to pay due to the reduced threat of flooding. It is vital that this project be funded through completion. When the project is completed, FEMA will lift its mandate requiring homeowners to purchase costly flood insurance.

I am also here to support the City of Huntington Beach, California's request for a $900,000 appropriation for a water infrastructure reliability study. Public Law 101-60 authorizes studies of the seismic safety of Southern California cities' water, sewer and drainage systems. The cities of Norwalk and Arcadia have received appropriations pursuant to this law in Fiscal Year 1995 and I believe that the City of Huntington Beach is just as deserving.

Lastly, I would like to join my colleague Chris Cox in supporting various requests of the City of Newport Beach and I would draw particular attention to the request for $5.5 million for the Surfside/Sunset Beach to Newport Beach Erosion Control Project.

I appreciate this opportunity to testify and the Subcommittee's consideration of these requests. Thank you.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. WILLIAM M. THOMAS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

[The statement of Mr. Thomas follows:]

Statement of the Honorable

WILLIAM M. THOMAS

Member of Congress, 21st District of California

House Committee on Appropriations

Subcommittee on Energy and Water Development

March 6, 1996

Thank you, Mr. Chairman and members of the Subcommittee, for this opportunity to testify today in support of funding for projects being conducted by the Army Corps of Engineers in my district. In addition, I would like to introduce Kern County Supervisor Mary K. Shell, who will provide testimony regarding the Caliente Creek Flood Control Project in Kern County, California.

CALIENTE CREEK

Caliente Creek was the nation's first federal project in which a 50-percent cost-sharing agreement between local interests and the Army Corps of Engineers funded the feasibility study. The initial feasibility study was completed in December of 1988. Unfortunately, due to a previously unidentified sedimentation problem that was discovered during the review of the recommended project design by the Corps' Washington office, the Corps informed the local sponsors that the recommended project was not feasible and that new alternatives would have to be examined.

Although this initial setback was a terrible disappointment to everyone involved, the fact remains that some kind of flood control project is desperately needed on Caliente Creek. Twice in the last 16 years, once in 1978, and again in 1983, flood damage to both agricultural and urban lands in the vicinity of Caliente Creek totaled more than $36 million dollars. The urgency for this project remains.

In 1991, the Corps completed its examination of new flood control alternatives for Caliente Creek, and both the Corps and the local sponsors are confident that at least one of these alternatives – involving flood water management as opposed to the previously-proposed watershed control structures – will prove to be feasible. The local sponsors have yet again committed themselves to cost-sharing the feasibility study to develop a flood water management plan. In this regard, it should be noted that these local entities -- the County of Kern, the Kern County Water Agency -- along with the cities of Arvin and Lamont have dutifully met their annual obligations under the previous cost-sharing agreements.

Although the President has not submitted a specific budget for FY 1997 to include Corps projects, the President's FY 1996 budget did include funds to continue feasibility-level work on such a plan. With an even greater level of contribution coming from the local sponsors, the participants should be able to finish this study with these funds and forward a draft report to the Corps' Washington, D.C. office for more detailed analysis in 1998.

Mr. Chairman, I have appreciated the Subcommittee's support of this project in the past, and I am hopeful that I can continue to count on that support. Over the last thirteen years, the local sponsors have faithfully contributed their share of the costs, but have received little from the federal government in return. By necessity, however, they remain firmly committed to seeing this enterprise through to completion. In furtherance of that objective, I respectfully request the addition of statutory language designating an appropriation of $150,000 for the Corps of Engineers to continue and complete feasibility-level work on the Caliente Creek Flood Control Project within the 1997 fiscal year.

SUCCESS RESERVOIR

The Success Reservoir currently provides flood control and water conservation in the Tule River basin, which encompasses the urban area of Porterville, as well as downstream agricultural lands within Tulare and Kings Counties, California. The agricultural products from this area create gross revenues in excess of $200 million each year.

However, these areas are still prone to flooding, as past history demonstrates. Estimated damages from the Tule River floods of 1966 and 1969 totaled $5 million, and additional flooding occurred in the Tule Lake basin in 1978, 1980, 1982 and 1983.

The Success Reservoir Enlargement Project would raise the spillway of the reservoir by 10 feet, increasing its storage capacity by 28,000 acre feet and nearly doubling its flood control capacity. At its current height, the dam provides flood control sufficient to protect against a 60-year flood. With a ten foot higher spillway, the dam would be able to contain a

100-year flood.

At this time, the Corps of Engineers is conducting the Success Reservoir Enlargement Feasibility study in order to determine whether or not their plans to raise the spillway by ten feet, providing greater flood control and water conservation, are feasible. In order to accomplish this, I ask that the subcommittee consider an appropriation of $200,000 for the continuation and planning of this study for FY 1997.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. GEORGE P. RADANOVICH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

[The statement of Mr. Radanovich follows:]

THE HONORABLE GEORGE RADANOVICH

TESTIMONY BEFORE THE HOUSE APPROPRIATIONS SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

MARCH 6, 1996

BUREAU OF RECLAMATION

Central Valley Project Operation and Maintenance: The Central Valley of California is one of the world's most productive agricultural areas. Its productivity is dependent in large part upon the continued successful operation of the Central Valley Project (CVP). I concur with the California Water Commission's request for $57.7 million for the operation and maintenance of the CVP for FY 1997.

San Joaquin River Comprehensive Plan: I remain adamantly opposed to the providing of any funding for the San Joaquin River Comprehensive Plan until Congress acts to redirect this project.

Under the Central Valley Project Improvement Act (CVPIA), the Department of the Interior is directed to develop a "reasonable, prudent and feasible plan" regarding fish and wildlife concerns on the river. This includes the possible reestablishment of a salmon fishery on the upper San Joaquin River.

Salmon disappeared from the Upper San Joaquin River about forty years ago. Any attempts to reintroduce a fishery would adversely affect the economy of the Central Valley and would not meet the CVPIA's requirement for a plan that is "reasonable, prudent or feasible." Secretary of the Interior Babbitt has recognized this. In 1994, he stated that restoring the fishery is unreasonable as it would irrevocably harm the communities that have developed in the region during the past forty years.

While the people of the Central Valley welcomed the Secretary's statement, the San Joaquin fishery study remains a source of great concern for area residents.

I urge that Congress not commit any funds for FY 1997 to the San Joaquin River Comprehensive Plan.

Shasta Dam Temperature Control Device: The installation of a temperature control device at Shasta Dam will benefit both agricultural and urban users as well as the environment. I would like to request $3.47 million for this project from the CVP Restoration Fund, which is funded by a surcharge on the water and power customers of the CVP.

Glenn-Colusa Irrigation District Fish Screen: I support the installation of a permanent fish screen at the Hamilton City Pumping Plant. The screen will further enhance the ability of the District to obtain lasting protection for winter-run salmon and other fishery resources. This project is important for the entire CVP service area as it will minimize the need to divert water from agriculture for fish protection.

I request that the Bureau of Reclamation be allocated $4.3 million to complete the environmental reviews and the design and engineering work for the permanent fish screen.

Arroyo Pasajero: During the winter of 1994-95, severe flooding caused significant property damage in the area surrounding Arroyo Pasajero. If not for the faulty design of the San Luis Canal, most of this property damage could have been averted. Flood damage claims filed by local landowners against the Bureau of Reclamation and the state Department of Water Resources have exceeded more than $10 million.

Attempts are currently being made to obtain funds in an emergency appropriations supplemental bill to compensate property owners. I fully support these efforts.

If such funding cannot be obtained, I request that the Committee provide up to $10 million dollars to compensate persons whose property was damaged.

CORPS OF ENGINEERS

Kaweah River:

Terminus Dam: The Corps of Engineers is in the process of working on a feasibility study to increase the storage capacity of Terminus Reservoir. By raising the spillway by 21 feet, this project will provide greater flood control for the communities of Visalia, Farmersville, Tulare, Ivanhoe, and Goshen. This project will also provide additional water for irrigation.

The Corps has expressed concerns about the seismic stability of Terminus Dam, and it undertook a dam safety study in FY 1996.

I request that the Appropriations Committee provide $1.3 million for FY 1997 for preconstruction, engineering, and design (PED) work for the feasibility study for increasing the reservoir's storage capacity. I also suggest that the Committee allocate $1 million for the seismic study.

Kaweah Corridor Enhancement Project: I would also like to ask the Committee to provide $100,000, through the Fish and Wildlife Foundation, for the Kaweah River Corridor Enhancement Study. This study is seeking to develop solutions for improving groundwater recharge and flood control through conservation and enhancement of riparian habitat in the area immediately below Terminus Dam.

Sacramento River Restoration Project: I request that the Committee allocate $1 million to continue work on the Sacramento River gradient and riffle restoration project. By stabilizing the elevation of the river, this project will improve conditions for winter-run chinook salmon. The Sacramento River Restoration Project will increase the effectiveness of the new permanent fish screen at the Hamilton City Pumping Plant.

Kings River:

Kings River Fish and Wildlife Habitat Restoration Study: I would like to request $500,000 for the continuation of a feasibility study of fish and wildlife habitat restoration measures on the Kings River and at the Pine Flat Dam flood control project. This study is examining ways to improve the environment on the Kings River without harming the agricultural economy that is dependent upon the river's water.

Pine Flat Dam Turbine Bypass: I am pleased that the Corps is continuing with the Pine Flat Dam turbine bypass as a Section 1135 environmental enhancement program. I have appreciated the Committee's past assistance on this project, and I will continue to follow the turbine bypass project closely.

Tule River: Success Dam on the Tule River provides flood control and irrigation water for the southern San Joaquin Valley. The Corps is currently conducting an enlargement feasibility study to determine whether raising the spillway by 10 feet is possible. I ask the Committee to allocate $200,000 for FY 1997 for the completion of this study.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. JOHN T. DOOLITTLE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. Congressman John Doolittle.

Mr. DOOLITTLE. Thank you, Mr. Chairman and members.

This committee is well familiar with the problems—the water problems we face in the Sacramento area. Since our great flood of 1986, the Corps of Engineers has extensively studied the area to ascertain the threat posed by flooding and has concluded that the maximum foreseeable flood event for our area is a 250-year event on the American River.

The main dam on this river was built—authorized in 1950, Folsom Dam, and at that time the experts projected that we would have protection from the 250-year event. Since the authorization, the four largest storms of record have subsequently occurred. As a result, the protection afforded by Folsom Dam has been downgraded from 250 years to a 78-year level of flood protection.

We have the lowest level of flood protection of any river city in the United States, and the threat is very grave. You will be hearing later on today from Michael Stearns and Ray Boros representing the State Board of Reclamation, the chief local cost-sharing partner, and Paul Devereux, representing the Sacramento Area Flood Control Agency, which is the other local cost-sharing partner. And then you will be hearing from Jack Warren, Walt Shuttle and George Barber, representing the American River Authority. Mr. Schultz and Mr. Barber are elected members of the El Dorado and San Joaquin County Board of Supervisors, respectively.

I have a written statement; I am going to summarize that, Mr. Chairman, and just indicate to you that Sacramento sits essentially at sea level surrounded by high levees. I brought this book, The River of Fear, just to show you three quick pictures. This is the American River in the north fork that we seek to obtain protection from. This was taken in 1986. Here is the presently authorized Auburn Dam foundation, which extends under the river. Normal flow of the river is diverted by a tunnel, runs underground and comes out here. This is the Coffer Dam, which is now breached in this photo as a result of the high flows in the river, and this is what we are trying to protect ourselves against.

Now, Sacramento is surrounded by high levees. I just brought this picture. This breach in the levee occurred on the Yuba River about 30 miles north of Sacramento, but our levees—Sacramento on about two sides is surrounded by high levees just like this; when this breach occurred, amongst other things, you had this type of flooding. This was the local mall.

We have projected the first breach in our levee that occurs will produce about $7 billion worth of damage and will inundate an area to depths between—range between 5 and 20 feet. That water is projected to remain for up to 60 days. We have 160,000 homes in the floodplain, 400,000 residents, 5,000 businesses and $40 billion of damageable property.

I am here, Mr. Chairman and members, to thank you for your past support and to ask for $8 million in monies for preconstruction, engineering and design work on our comprehensive flood control project. I would just point out that although there are other alternatives that have been identified, no other alternative provides protection for Sacramento against the standard project flood.

I have one other request, Mr. Chairman, and that is $700,000 for the upper Truckee River and wetland restoration project at Lake Tahoe. Upper Truckee River is the largest tributary that drains about 30 percent of the Lake Tahoe Basin. This river presently is bringing a number of rich nutrients into the lake and that is causing the growth of algae. This project will substantially reduce that problem.

And, by the way, this is one of the largest and most significant alpine wetland restoration projects ever undertaken in the country. It has a tremendously broad range of support.

I very much appreciate the members of the committee hearing me out. And I, too, would like to give my accolades to our Chairman, the last Congress' Chairman and the members of the committee.

Mr. MYERS. Thank you.

[The statement of Mr. Doolittle follows:]

Statement of the Honorable John T. Doolittle

before the
Energy and Water Subcommittee
House Committee on Appropriations
March 6, 1996

Thank you, Mr. Chairman and Members of the subcommittee, for this opportunity to testify. I am here today to request federal assistance on two projects of significance to northern California.

My first request is a $8 million appropriation in fiscal year (FY) 1997 to begin work on the comprehensive flood control plan recommended for Sacramento by the Army Corps of Engineers. This plan includes construction of the Auburn Dam on the North Fork of the American River. I have requested the Transportation and Infrastructure Committee include authorization for the flood control plan in this year's Water Resources Development Act.

Ten years ago last month, Mr. Chairman, over $1.3 billion in destruction was caused to Northern California by the largest flood yet on record. Thirteen people died, 67 were injured, and the better part of California was declared a federal disaster area. It was a truly devastating event and one I will never forget.

We now know that, compared to similar river cities in the nation, Sacramento has the lowest level of flood protection in America. The city currently has just 78-year flood protection. When one considers that the Federal Emergency Management Agency's (FEMA) minimum standard is 100-year protection, it becomes clear that additional flood protection is needed. The Corps of Engineers has determined that the "standard project flood" -- which is the largest flood the region can reasonably expect -- is a 250-year event. Let me repeat: Sacramento can expect a 250-year flood event yet currently has inadequate protection against any flood greater than a 78-year event.

Four hundred thousand residents and $40 billion are at risk in the 170-square mile floodplain. If the necessary steps are not taken to protect contain the American River from breaching or overtopping the levees, between $7 and $16 billion in damage will occur and 100 lives may be lost in the first six hours.

A review of Sacramento's flood protection after the 1986 flood found that Folsom Dam and Sacramento's 60-year old levee system provided Sacramento with its current and inadequate 78-year level of protection. A review of Sacramento's flood protection by the Army Corps of Engineers found that levees along the American River have about a 60 percent chance of failing during a 100-year flood event.

A 100-year flood would cause damages that would be comparable to those suffered in the devastating 1989 Loma Prieta earthquake. Assuming a comparable public-private commitment, costs for relief and reconstruction would total $5 billion of which the federal government would contribute $2.85 billion -- more than four times as much as the $609 million total federal contribution we are seeking to complete the comprehensive flood control plan, including Auburn Dam, for Sacramento.

In addition to securing these federal funds, I have made certain that the local cost-sharing partners are committed to the Auburn Dam. Last October, the California State Board of Reclamation approved a resolution calling for a mulitpurpose dam at Auburn. A month later, the Sacramento Area Flood Control Agency (SAFCA) approved a resolution calling for construction of the Auburn Dam. Both of the non-federal sponsors are committeed to paying for their portion of the dam. Their contribution for this comprehensive plan will total $350 million.

I believe that one of the reasons the state and local government agencies are so dedicated to building the dam is that they recognize that it is popular with the people in the region. In the most comprehensive scientific survey to date, conducted in February 1996, nearly two-thirds of Sacramento area residents signalled support for construction of a dam at Auburn. Less than 17 percent of the residents polled supported a non-dam alternative. Mr. Chairman, the area I represent is one of the most anti-tax regions in the country. Yet, according to the survey, a majority of the respondents indicated they would be willing to increase their property assessments by $90 per year, an amount greater than that needed to pay for the local share of the dam.

The simple reason that the dam is so popular with area residents is that they know the dam is the only alternative that provides an adequate level of protection against the standard project flood (a 250-year event). The Army Corps of Engineers concluded as much in their final report on the American River Watershed Project. Even the dam's most vocifierous opponents admit this fact. In his testimony before the House Transportation Subcommittee on Water Resources, Friends of the River Director Ron Stork noted that the leading non-dam alternative, called the Stepped Release Plan, provides 235-year flood protection, less than the 250-year protection that is needed to protect Sacramento against the standard flood project. The other alternative, known as the Folsom Dam Modification Plan, would provide only 180-year protection. Thus, no other alternative protects Sacramento against the level of flooding the Corps believes is likely to occur in the future. **If we are serious about protecting Sacramento, our only option is the dam.**

The virtue of the Auburn Dam proposal is its ability not only to shield Sacramento from disastrous flooding, but also its ability to provide a clean, reliable water supply to California's Central Valley. California has added 11 million residents since construction of the last water project in the state. The state's population is expected to continue its current growth explosion, rising from 32 million residents today to an anticipated 49 million by the year 2020. An Auburn Dam will provide badly-needed water for people, agriculture, industry, and the environment. It is essential that we pursue the few options available to boost the state's water supply.

Mr. Chairman, the opponents of the Auburn Dam repeatedly state that better, cheaper alternatives exist. Yet not only do the alternatives fail to protect Sacramento from foreseeable flooding, they are not cost-effective. The federal contribution for the Stepped Release Plan would be $455 million and the federal costs for the Folsom Modification Plan would be $245 million. In other words, every option is going to require significant federal expenditure. Our job is to make sure that federal taxpayers "get the biggest bang for the buck." Towards that goal, it is important to note that the Stepped Release Plan provides less than half the flood protection of the dam but costs nearly three-fourths as much as the dam.

Because it provides a two-to-one benefit-to-cost ratio, the dam has been selected by the Corps of Engineers as the National Economic Development (NED) proposal. In other words, for the amount of money invested, the federal government recoups the greatest benefits from the Auburn Dam plan. By way of comparison, the Stepped Release Plan has only a one-to-one cost-benefit ratio.

I would like to address, Mr. Chairman, what is clearly the main cause of concern for opponents of the dam; namely, its environmental impact. Specifically, the fact that a dam will lead to the flooding of the American River Canyon is undeniable. With so few options available to provide adequate flood protection to Sacramento, we have to make difficult choices. If there were any other way we could give Sacramento the protection it needs and give the region the water it needs, without flooding the river canyon, I would support it. But such a plan does not exist.

The Auburn Dam is not, however, an environmental disaster as its opponents like to suggest. Environmental experts at the Corps of Engineers, in consultation with the Fish and Wildlife Service, have done a good job of mitigating the project's impact on the canyon with land set-asides in nearby watersheds.

In addition, there are a considerable number of benefits that the Auburn Dam can provide, benefits that the corporate green lobby continues to ignore. Only the Auburn Dam is capable of protecting the environment from toxics and contamination from average to large flood events. Hazardous substances from above-ground tanks and drums, including oils, liquid propane, pesticides, and industrial chemicals, would be swept away by flood waters, severely impacting flora and fauna in the 170 square mile floodplain. Sewage treatment sites, water treatment plants, and local landfills are all likely sources for contamination during a significant flood event.

In addition to preventing environmental catastrophes caused by flooding, the Auburn Dam provides other environmental benefits. For example, water from a multipurpose dam would help normalize Folsom Reservoir; provide regular cold water flows down the American River to aid migratory fish; improve the condition of habitat and wildlife along the Lower American; and provide badly-needed river flows to flush salt water from the Bay-Delta and provide for endangered species in that area. The hydroelectric component of the Auburn Dam could provide clean, renewable energy supplies to California. A new hydropower source could also reduce our dependence on nuclear and petroleum-based energy.

Lastly, we should remember that every consideration of the dam's environmental impact should begin with a view of how human lives may be affected. After the 1986 flood, Sacramento was able to rebuild its structures and repair its infrastructure, but there was nothing we could do for the families of the thirteen individuals who were killed by the flooding. Saving lives must be our primary mission, and it is beyond serious debate that the Auburn Dam does more than any other alternative to minimize the risk of lost lives due to flooding.

Mr. Chairman, the comprehensive flood control plan that includes the Auburn Dam is quite simply the only real flood control option for the residents of Sacramento and surrounding areas. With regard to the cost, it is a matter of paying now or paying later. We can protect America's taxpayers by making this relatively small investment now, or we put them on hook for an assuredly more expensive bailout in the future. I ask your help and that of the committee in securing $8 million in FY 1997 to begin construction of this important flood control project.

Secondly, Mr. Chairman, I respectfully request $5 million for the Upper Truckee River and Wetland Restoration Project at Lake Tahoe.

The Upper Truckee River is the largest tributary entering Lake Tahoe. It drains 30 percent of the lake Tahoe Basin's land, and is generating and transporting large amounts of nutrient rich sediment into Lake Tahoe. The accelerated introduction of nutrients is dramatically increasing algae growth. This process is adversely impacting Lake Tahoe's water quality and clarity.

Located at the mouth of the Upper Truckee River, this project will restore a significant portion of the river and the adjoining wetland areas which will help prevent erosion, remove nutrients from runoff, improve wildlife habitat, and increase public access to Lake Tahoe. This project will also result in substantial economic benefits to the region.

This project is urgently needed to protect Lake Tahoe's world-famous clarity which is the centerpiece of the region's economic and natural values. Lake Tahoe is a major tourist area because of its extraordinary beauty. It receives over 23 million visitor days of use each year, and supports a billion dollar visitor-serving economy which involves 20,000 jobs.

This project is one of the most significant efforts we can undertake to protect this national treasure. In recognition of its significance, this project is supported by a diverse and extraordinary coalition of local government, regional economic groups, businesses, property owner groups, environmental groups, and regional public agencies located in both California and Nevada. Also, substantial state and local resources have been committed to this project.

Mr. Chairman, I hope you will join me in supporting this project. It is one of the largest and most significant alpine wetland restoration projects ever undertaken in the United States.

Mr. MYERS. Mr. Fazio.

Mr. FAZIO. First of all, let me say, John, I want to add my support for the last project you mentioned. I know the League to Save Lake Tahoe is very supportive of your efforts on the Upper Truckee.

But I also want to say, this committee, as you know, has been stalwart in moving both on the Corps studies that have brought us to this point; first the interim report in 1992 and now the more recent event of 1996, which is still, I gather, not yet received, but on its way to us from the office of the Secretary of the Army.

We also have been there on the water supply study, which I know you have been a great supporter of as well; and hopefully we will see those two come together in a package that this Congress can give complete consideration to.

I want to say that I think it would be a dereliction if we don't deal with the flood problem that we have in the Sacramento area in this Congress, and I am hoping we can continue to work together to make that happen. This committee will play a key role in whatever is authorized.

Now, the attention has to be in the authorizing committee, and we look to our friends on both the Public Works Committee and the Interior Committee to work with us—and I used their old names because I can't get out of the rut.

Thank you.

Mr. DOOLITTLE. Thank you. You and I and Bob Matsui and Richard Pombo are working closely together.

By the way, we are seeking authorization for this conference flood control project through the Transportation Infrastructure Committee, and I am sure there will be many twists and turns as we go down this road between the administration and the various committees here in the Congress.

Mr. MYERS. I might remind the Members that your prepared statements will be placed in the record, and if you can expedite because we have a roomful of people that do want to testify yet today," some of them are catching flights I am advised. So as Members, you will be seeing us so I will not cut you off but if we can move it along, we would appreciate it.

Mr. RIGGS. Mr. Chairman, we want to thank Congressman Doolittle and encourage him to submit written testimony for the record, and briefly, you are right, because we do need to move it faster, but I want to second Mr. Fazio's comments and say that I believe this is the year for our subcommittee working with the Transportation and Infrastructure Committee to bite the bullet and take the first steps to protect lives and property in the Sacramento floodplain.

Mr. DOOLITTLE. Thank you.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. GEORGE E. BROWN, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. Congressman Brown submitted his statement for the record—that is not a hint to anyone—and had to depart.

[The statement of Mr. Brown follows:]

Representative George E. Brown, Jr.
Testimony Before the
Energy and Water Development
Appropriations Subcommittee
March 6, 1996

Mr. Chairman, thank you for the opportunity to testify this morning in support of the water projects recommended by the California Water Commission for FY97 which are of great importance to the state of California. Ms. Audrey Tennis, the Chair of the Commission, will be here later today to speak about the projects.

I would like to briefly highlight several of these projects that are of particular interest to the people living in Riverside and San Bernardino Counties. Mr. Ken Miller from the Dept. of Transportation and Flood Control in San Bernardino County will be testifying on behalf of these projects later in more detail.

These projects will provide vital water management infrastructure for the people of Southern California. This region is vulnerable to both water shortages and to devastating floods which can cost billions of dollars in damage. Prevention has proven to be more cost-effective than mitigation. In recognition of this, I would encourage the Committee to continue its support of the Santa Ana River projects that will protect the more than 2 million people who live in the Santa Ana floodplain.

There are also a number of projects in California that are requesting funding under the Bureau of Reclamation's Small Watershed Project Loan Program. I support the approval of $3 million to initiate federal participation in the San Sevaine Creek Water Project. This project will provide flood control and enhance local water conservation efforts in western San Bernardino County. The project would create water storage and conservation facilities which would conserve stormwater runoff and reduce the need for water purchases.

I also want to join some of my colleagues from the Inland Empire in requesting $400,000, through the Bureau of Reclamation, for the Salton Sea Authority. These funds will be used for the first year of the Environmental Impact Statement/Environmental Impact Report process. Developing a method to stabilize the water elevation and salinity of the Salton Sea will be of great benefit to the entire region by restoring the recreational and environmental uses of the Sea.

Sound water management is vital if the economy of Southern California is to survive and flourish. These projects provide essential water management infrastructure to the citizens of California, construction jobs during the project life-time, and lasting economic stability through the provision of stable water supplies to the businesses and residents of this region. Again, I thank you for your cooperation and for the opportunity to speak today on these important California projects.

SUMMARY OF WATER PROJECTS

SUPPORTED BY REP. GEORGE E. BROWN, JR.

ENERGY AND WATER APPROPRIATIONS SUBCOMMITTEE

MARCH 6, 1996

Santa Ana River Mainstem Project

FY 97 Request - $52 million
Army Corps of Engineers
Funding will continue construction of flood protection project for over two million residents living along the Santa Ana River floodplain in Riverside, San Bernardino and Orange Counties.

Seven Oaks and Prado Dams Water Conservation Study

San Bernardino, California
FY 97 Request - $250,000
Army Corps of Engineers
Complete feasibility study, initiate preparation of plans and specifications.

San Sevaine Creek Water Project

San Bernardino/Riverside, California
FY 97 Request - $3 million
Bureau of Reclamation Small Watershed Project Loan Program
$3 million to start federal participation on project

Salton Sea Authority

Salton Sea Area Study
FY 97 Request - $400,000
Bureau of Reclamation

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. CALVIN M. DOOLEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. And we now move to Congressman Cal Dooley.

Mr. DOOLEY. Thank you, Congressman Riggs, and I want to join with my colleagues in thanking both Congressman Myers and Congressman Bevill for the good work they have done on all our behalf. Certainly, I think all the Members of Congress are well-served. If we all tried to emulate the way you carried yourself, with dignity and grace and consideration of other Members, the institution would be far better, I am sure.

Mr. MYERS. Thank you, Cal.

Mr. DOOLEY. I also want to thank the leadership of the California Water Commission for all they have done in helping to define some of the priorities for California as it relates to water resources. I am sure you will also hear from Bruce George and Mary K. Shell on a couple of projects.

I will be very brief. What I am going to submit in my written statement is a list of projects which are important to preserving the Bay-Delta Agreement, which was an historic accord between environmental interests, agricultural interests, and municipal interests. They are projects which will provide benefits by enhancing the environment and providing greater certainty to deliveries of water. Those deal with some fish screens on the Glenn-Colusa irrigation district, on the Sacramento, as well as the temperature control device on the Shasta Dam.

I also am going to request that the committee consider joining with the Westlands water district, as well as I think the administration, in finally resolving the Kesterson Reservoir cleanup program. I think we are in agreement on this and we can finally put this issue to rest.

Also have a continued funding for an Army Corps project dealing with the Arroyo Pasajero. This was a stream that flooded on the west side of the valley that caused damage to Interstate 5, washed out a bridge there, and also has the potential to breach the California aqueduct, which would be disastrous both for urban as well as agricultural interests. We have about $950,000 for a feasibility study as well as $870,000 for a joint project with the California Department of Water Resources.

There are a couple of other projects ongoing. Success Reservoir and also an elevation of a dam on Kaweah River in terms of a feasibility study. I would hope that we would continue funding these. I think they are very important.

And also would like to once again state that so many of our local participants on a lot of these projects get strung out year after year. And their local match keeps increasing and we have to bring these projects to closure in a timely fashion, and I hope that this committee recognizes that and that we can bring these projects to an early conclusion.

Mr. MYERS. Thank you, Cal.

[The statement of Mr. Dooley follows:]

CONGRESSMAN CAL DOOLEY
before the
HOUSE APPROPRIATIONS SUBCOMMITTEE
ON ENERGY AND WATER DEVELOPMENT
March 6, 1996

Mr. Chairman and Members of the Subcommittee:

I want to express my appreciation for the opportunity to testify before the Subcommittee in strong support of energy and water development projects and programs important to the 20th Congressional District of California, the state and the nation.

BUREAU OF RECLAMATION

CENTRAL VALLEY PROJECT

As you know, the Congressional District that I represent lies within the Southern portion of California's vast Central Valley. The Central Valley Project (CVP) has made the Valley the most productive agricultural region in the world, providing a stable, abundant supply of high quality food and fiber for the entire nation and for our trading partners. The CVP also includes features that control flooding, reduce serious overdrafts of groundwater and provide water and environmentally clean hydroelectric power for cities and industries.

CVP OPERATIONS AND MAINTENANCE -- One of my highest priorities is adequate funding for CVP operations and maintenance. I strongly support the $57 million recommendation by the California Water Commission, but I am growing increasingly concerned that there are not sufficient funds being appropriated to properly operate and maintain the existing facilities. I am hopeful that the President's budget request reflects at least the level recommended by the Water Commission, and that the Committee approves the entire amount requested. It is troubling that this amount is less than the amount appropriated in 1995 -- at a time when increased appropriations are more than justified.

BAY-DELTA AGREEMENT -- In 1994 the federal government, together with agricultural and urban water users, the environmental community and the State of California concluded an historic agreement to protect the environmental resources of the San Francisco Bay-Sacramento-San Joaquin River Delta. The agreement addresses water quality and endangered species concerns while providing economic certainty for water users.

Parties to the Delta agreement are now implementing the accord and looking for ways to secure the long-term health of the resource. The California Water Commission has recommended $4.1 million for Bay-Delta Oversight and additional funds for other Delta-related activities.

I want to urge the Committee to provide the maximum level of support for the Delta to ensure that the Bay-Delta agreement continues to work for all Californians.

UNSCREENED DIVERSIONS -- One of the key items in the President's budget for the Delta is a program to screen the thousands of unscreened water intakes in the Delta. While attention usually focuses on the Bureau pumping plant that sends water to the San Joaquin Valley, these unscreened Delta diversions are a major source of fish damage. I join water users and the environmental community in supporting the California Water Commission's request of $5 million for this project, $2 million of which would come from the restoration fund.

SHASTA DAM TEMPERATURE CONTROL DEVICE -- The California Water Commission recommends nearly $3.5 million to continue with construction of a device to help water managers control water temperatures to benefit salmon in the Sacramento River. This program is supported by water users and environmentalists alike because it protects the fish while making the maximum amount of water available to users. I urge the Committee to continue its support for this very important program.

GLENN-COLUSA IRRIGATION DISTRICT FISH SCREEN -- I want to join my colleagues from the Sacramento Valley in supporting the California Water Commission's request for $4.3 million to advance work on a permanent new fish screen at Glenn-Colusa Irrigation District's Hamilton City Pumping Plant.

The new screen is necessary to allow the District to meet its water needs while protecting the endangered winter run chinook salmon. Projects such as this that benefit the salmon are important to the entire CVP service area because Endangered Species Act pumping restrictions intended to protect the salmon have had a major impact on water supplies in the San Joaquin Valley.

SAN JOAQUIN RIVER COMPREHENSIVE PLAN -- I would like to thank the Committee for its decision last year to withhold the President's request for $1,000,000 in funding for development of the San Joaquin River Comprehensive Plan, which was mandated by the Central Valley Project Improvement Act (CVPIA). I would encourage the Committee to remain opposed to any funding for such a study.

KESTERSON REPAYMENT -- Last March, the Commissioner of the Bureau of REclamation submitted to the Committee a report concerning repayment of past and anticipated future expenditures for the Kesterson Reservoir Cleanup Program and the San Joaquin Valley Drainage program. In this report, the Bureau proposes al alternative methodology for collection of costs associated with these programs but the Bureau believes that it is bound to bill contractors in the San Luis Unit unless the Congress acts to make such costs nonreimbursable.

It is time to settle this matter once and for all. The

Bureau has made a proposal that I believe is a fair resolution of the repayment issues. I therefore urge this Committee to explore avenues to allow expeditious consideration of the Bureau's recommendations through the legislative process. While the Committee is not ordinarily inclined to place authorizing legislation on an appropriations bill, this might be an exception. This is an opportunity to settle a longstanding dispute over the collection of costs owed to the federal government and both the Administration and the water users should be amenable to congressional approval of the Bureau's recommendations.

ARMY CORPS OF ENGINEERS

CENTRAL VALLEY FLOODING

Last year winter storms that brought a welcome relief from California's recent drought years, also brought renewed, severe, and deadly flooding to several small communities in the Central Valley including Coalinga, Huron, Mendota, Firebaugh, Avenal, Arvin and Lamont. I strongly urge the subcommittee to continue funding for studies examining the flooding problems in these areas, in order that we might find permanent solutions to these very serious problems.

ARROYO PASAJERO -- For years, the City of Huron has endured frequent flooding of its main roads, thereby isolating the community, sometimes for days. City residents must regularly mop up mud flows of up to six feet. While that situation is bad enough, last year Huron residents experienced the added agony of burying seven of its residents who perished when the bridge over Arroyo Pasajero Creek crumbled under the weight of the flood waters carried out of the coastal mountains. Similar flows have closed the road dozens of times during the last twenty years. The problem is caused in large part by the inadequate flood control measures designed to protect the California Aqueduct, a joint federal-state facility.

A ponding basin intended to protect the aqueduct from Arroyo Pasajero flood flows was installed by federal and state authorities in the 1960s when the aqueduct was built. Unfortunately, the engineers underestimated the volume of water and sediment associated with annual flooding in the area and the ponding basin soon proved far too small to contain the problem. As a result, water and mud has been backing up on the roadways and fields for more than two decades.

To make matters worse, the tons of sediment dumped in and around Huron contains high levels of asbestos, which occurs naturally in the drainage area. For several years, I have made the point to this committee that flooding from the Arroyo Pasajero not only threatens the city of Huron and the stability of the California Aqueduct -- which serves millions of water users -- it also poses a serious health threat. Last year, the threat became real. The Aqueduct was breached at several points, and the communities of Huron and Avenal were forced to use bottled water for many days. While the breach did not ultimately impact the water quality and supply for millions of southern Californians, it is clear that the threat is now very real. The subcommittee, in its wisdom, has supported efforts that will avoid this situation in the future, and I urge your continued support.

The feasibility study is ongoing, and I urge the subcommittee to continue to provide funding for the study at the $950,000 level recommended by the California Water Commission.

In addition, the Bureau of Reclamation is participating as a cost sharing partner with the California Department of Water Resources on data gathering and flood control planning that is not contractually part of the Corps study. The California Water Commission recommends $870,000 for the project, and I urge the Committee to provide that level of funding.

Finally, it may be necessary to seek support from the Committee for approximately $10 million in additional funds for the Bureau of Reclamation to satisfy flood damage claims filed last year by private landowners who suffered losses along the Arroyo Pasajero. I am currently seeking funding as part of the emergency appropriations supplemental bill that I understand will be introduced in the near future to assist with the recent flooding in the Pacific Northwest and in Pennsylvania. While I am optimistic that we will get the necessary funds on the emergency supplemental, I would like to request that the Committee consider providing the funds for FY 1997, if necessary.

CALIENTE CREEK -- I appreciate the Committee's ongoing commitment to solving the long-standing flood control problem in the Kern County communities of Arvin and Lamont. The California Water Commission remains committed to the study, and I would request that $150,000 be dedicated for that purpose. However, Phase I of the feasibility study showed a weak benefit to cost ratio (1.2: 1), so an advisory election this Spring will be held to determine community support for continued funding of the local share of the project. I will inform the Committee of the results of the election to determine whether my request is still valid.

TULE RIVER/SUCCESS DAM

One of my highest priorities is the authorization of a proposed project to greatly increase flood protection and water storage capacity on the Tule River by raising the spillway on Success Dam by 10 feet. This simple and relatively inexpensive project will protect the homes and businesses of more than 30,000 San Joaquin Valley residents. In addition to the funding request for FY 96, we will in the near future seek authorization for the enlargement of the Success Dam.

I request that the appropriations bill include the California Water Commission's recommendation of $200,000 for the continuation of the Success Reservoir Enlargement Feasibility Study, which has been stalled since 1992 pending the outcome of seismic studies.

SAN JOAQUIN RIVER BASIN

KAWEAH RIVER -- Another project of high priority to me is the flood control storage capacity project on Kaweah Lake behind Terminus Dam. I urge the Committee to adopt the recommendation by the California Water Commission to provide $1.3 million for the continuation of preconstruction, engineering, and design.

I also join the California Water Commission is requesting $1 million in dam safety funding for a seismic testing and analysis program to verify the stability of Terminus Dam. I would like to point out that the requirement for seismic testing was an unanticipated development in this project. This follows the completion of a feasibility study that increased in cost by three times over a six year period, nearly doubling the original estimate of $1.6 million. It is critical that funding be provided both for the seismic study and for the continuation of preconstruction, engineering, and design to ensure that this project remains on schedule.

I also want to express my support for dedicating $100,000 from the Bureau of Reclamation construction account to support the continuing Kaweah Delta Corridor Enhancement Project.

KINGS RIVER/PINE FLAT DAM FISH AND WILDLIFE ENHANCEMENT -- I strongly support the California Water Commission's $500,000 request for a continuing feasibility study of fish and wildlife habitat restoration measures on the Kings River at and below the Corps' Pine Flat Dam flood control project. I am also very pleased that the Corps is using the Section 1135 program for a turbine bypass program, and I appreciate the Committee's past support for this project.

Thank you.

Mr. FAZIO. I don't want to take any time but, Cal, you make the point that I think everyone in this delegation must be aware of. As we continue to cut discretionary spending, this committee continues to get a smaller and smaller allocation, and the number of authorized projects continue to grow. Somewhere that has to come to reconciliation.

Mr. RIGGS. The list just seems to be getting longer and longer, I think is what he is saying.

Mr. MYERS. Well, now, if you have friends on the Budget Committee—I hate to pass the buck, but before we had the budget process, and some of us were here before the budget process, we didn't have this problem. But your California delegation is here, and this is a big problem, so if you have friends on the Budget Committee, tell them of your needs. We tell them, but they don't listen to us. Thank you.

Mr. RIGGS. We would like to figure in a 602(b) budget allocation.

I want to announce to the California witnesses arranged by the Water Commission, obviously we are running over for this first hour, which was reserved for members of the California delegation. We did start promptly at 9:30. We are about halfway through our list, so you should sort of make your personal plans accordingly.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. DAVID DREIER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. I next had on the list Congressman David Dreier. He has left and has submitted a statement for the record.

[The statement of Mr. Dreier follows:]

DAVID DREIER
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Congreſs of the United States
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Washington, DC 20515

Statement of the Honorable David Dreier
Subcommittee on Energy and Water
Committee on Appropriations
March 6, 1996
9:30 a.m.

Mr. Chairman, Mr. Riggs, Members of the Subcommittee, I want to thank you for giving me the opportunity to testify before you today. I'd like to thank the subcommittee for providing FY96 funding for the City of Arcadia's Water Infrastructure Reconnaissance Study. I'd also like to thank you, Mr. Chairman, for the service you have rendered to this body and to the American people during your almost 30 years in the House. Your leadership will be sorely missed.

Mr. Chairman, Section 116(d) of the Water Infrastructure Development Act of 1990 authorizes research in Southern California to study "problems and alternative solutions, including governmental roles and responsibilities, of restoring such region's public works infrastructure (including roads and highways, fixed rails, bridges, airports, flood control channels, dams, aqueducts, and utility pipes and lines) to full service following earthquakes which cause substantial damage to such infrastructure." In FY96 the City of Arcadia, California requested $400,000 for a multi-year Water Infrastructure Restoration Study, authorized under this section. Congress provided

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$300,000 for this important work. The cities of Sierra Madre and Arcadia, California jointly request $300,000 to continue the study in FY97. I am pleased to testify in support of this request.

Stage I of this study has begun. It focuses on groundwater supply reliability, especially in the East Unit of the Raymond Groundwater Basin, a system seismic protection analysis, a hydrologic model of the Santa Anita and Sierra Madre Creek watersheds and spreading basins, temporary power analysis for standby emergency power requirements for both the Arcadia and Sierra Madre water systems, a conceptual program development to identify projects and program costs, and a preliminary economic analysis to determine the economic viability of the projects and programs identified in the Stage I study.

The Cities seek $300,000 in funding to implement Stage II of this study in FY97. Stage II will incorporate the following elements:

- Spreading operations study: This aspect of the study includes preparation of a definitive study to optimize groundwater replenishment spreading operations on the Santa Anita and Sierra Madre creeks operated jointly by the County of Los Angeles and the City of Sierra Madre. The flows and yields used in the study will be based on the Hydrologic Model developed during Stage I of the Seismic Reliability Study.

- ASR Study: The development of a conceptual-level analysis for an Alternate Source and Recovery (ASR) well system to effect a conjunctive use program for groundwater storage in the East Raymond Basin. Replenishment water would be derived from imported and local surface water supplies.

- Emergency Supply Analysis: The study will determine the potential to link two planned regional recycled water projects to develop a backup emergency water supply to the area for non-domestic and fire-fighting purposes in case of a major seismic event.

- Seismic upgrading of turnouts: The analysis of imported water turnouts and interconnections to adjoining water systems for seismic reliability. This will ensure an additional backup water supply source to the Arcadia and Sierra Madre water systems.

- Capital Outlay Program Requirements: The development of a complete capital improvement program incorporating both Stage I and Stage II projects and programs. The program would be based on the results of the analyses and studies noted above and in Stage I to provide seismic protection and system reliability to all elements of the area's water supply system. The program will have a planning horizon of at least 20 years for full program implementation.

- Economic Base Study: A cost-benefits analysis of the planned improvements will include the result of the Stage I preliminary economic analysis.

Mr. Chairman and Members of the Subcommittee, natural disasters do billions of dollars in damage. The Northridge Quake, which measured 6.7 on the Richter Scale, did more than $20 billion worth of damage. The Federal government has paid over $12 billion of the cleanup costs.

The so-called "great quake" of magnitude 8.3 predicted for the San Andreas fault, or magnitude 7.5 predicted for the Newport-Inglewood fault near downtown Los Angeles could cost thousands of lives and upwards of $70 billion in property damage. A disaster of this type would be significantly exacerbated if water systems did not survive the quake, or were not restored quickly afterwards. A study like that begun by the City of Arcadia, and proposed to be expanded by the Cities of Arcadia and Sierra Madre, will help save lives and reduce damage. I urge the Subcommittee to provide funds to complete this important work.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. ZOE LOFGREN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. Congresswoman Lofgren.

Ms. LOFGREN. Thank you, Mr. Riggs, and I am a freshman Member of Congress. I wanted to especially thank the Chairman and Mr. Bevill for their courtesy to me last year. I remember it was the first time I had ever testified before a congressional committee and they made me feel welcome and helped to show the ropes, and afterwards, too, and I really appreciated it. It helped make the whole process possible.

I remember also last year I testified as my district office had been evacuated from flooding in downtown San Jose, and it gave a special emphasis to the need for flood control in downtown San Jose.

Luckily, we didn't have any flooding in downtown this year, but it is still a threat and so I have a written statement which I will just submit, but I do urge that we continue and finish off the projects that the Corps is pursuing to prevent that flooding danger of the Guadalupe project, the Coyote and the Berryessa as well as the feasibility studies on the Upper Guadalupe and Upper Pennitencia.

I also wanted to mention the city of San Jose's water reclamation projects because the situation in my area, and this is a bipartisan approach, my colleague Mr. Campbell, who I think will be saying something briefly, we know we are going to tell you the same thing, it is about floods and drought, and we need to do something to provide for a reliable water supply for the South Bay economy.

It takes 10 gallons of water to produce a single microchip, and so we do need to pursue that. The city of San Jose is requesting $15 million. They have a full funding grant agreement with the Bureau and the Bureau has fallen behind and I don't want to engage in scare tactics, but in addition to providing a reliable source of water, it also helps divert from the sewage treatment plant which is getting close to capacity.

So this is also about high-technology and our ability to compete in a global environment. What will get flooded are the chip makers and what will suffer if we cannot allow for growth because of the sewage treatment capacity is also our high-tech economy, which obviously not only is good for our region but does immeasurably good things for the economy and the export economy of the country.

So I really appreciate what you have done in the past, your courtesy to me, your advice and counsel to me, and I know Mr. Campbell is a freshman with experience and also has the same goals that I do. Maybe we can——

Mr. CAMPBELL. Mr. Chairman, I agree.

Mr. MYERS. Amen.

Ms. LOFGREN. Thank you very much.

Mr. RIGGS. Thank you both for your testimony. We don't think of our friend and colleague, Tom Campbell, as a freshman.

[The statement of Ms. Lofgren follows:]

NEWS RELEASE FROM
CONGRESSWOMAN
ZOE LOFGREN

U.S. HOUSE OF REPRESENTATIVES

16th Congressional District *California*

FOR IMMEDIATE RELEASE
March 6, 1996

Contact: Genet Garamendi
Derek Ludwin 202-225-3072

Testimony of
CONGRESSWOMAN ZOE LOFGREN
before the
APPROPRIATIONS SUBCOMITTEE ON ENERGY AND WATER

Good morning. I would like to thank the Subcommittee for this opportunity to testify once again in support of the City of San Jose's and Santa Clara Valley Water District's FY1997 funding requests. I am very grateful for the sustained commitment that this Subcommittee has made to our projects.

You may remember that I testified here last year only weeks after my own District office in downtown San Jose was evacuated during a flood. Although we were luckier this year, flooding is still a very serious concern in Santa Clara County and I hope that you will continue to support the Army Corps of Engineers' flood-control construction projects along the Guadalupe River and the Coyote and Berryessa Creeks. I also believe that we must prevent flooding in other vulnerable areas, and hope you will support feasibility studies for projects on the Upper Guadalupe River and the Upper Pennitencia Creek.

Water reclamation is an equally vital part of our region's needs; Santa Clara Valley must rely on water recycling to maintain the regional economy. By reducing treatment plant discharges and providing an alternative "drought-proof" source of water, the South Bay Water Recycling Project will reduce the strain on municipal water supplies and the sewage treatment system. Without this project, in fact, our region's capacity for growth could be stifled. It takes 10 gallons of water to produce a single microchip--the semi-conductor industry, and indeed the whole electronics and high-tech industry, is vital not only to my district's local economy, but most importantly to our national economy. In the U.S., the electronics and high-tech industries are the largest domestic employers, generating millions of dollars in export revenue and providing hundreds of thousands of well-paid jobs.

Today, I hope that the Subcommittee will support continued funding for the Corp's Guadalupe River project ($12.5 million) and Coyote and Berryessa projects ($2.4 million) as well as $580,000 to complete the Upper Guadalupe River project feasibility study and $665,000 to initiate a feasibility study for the Upper Pennitencia Creek project.

The Bureau of Reclamation has committed to fund 25 percent of the South Bay Water Recycling Project costs, which will reach $90 million in FY1997 alone. I respectfully request that the Subcommittee consider a $15 million appropriation for this year, which will allow the Bureau to fulfill its authorized level of participation.

I thank the Subcommittee for giving me this opportunity to testify, and urge all of you to give these projects your full consideration.

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WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. TOM CAMPBELL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. CAMPBELL. I have not made any requests since 1992.

Mr. MYERS. Pull the oldies out, dust them off, and retake them.

[The statement of Mr. Campbell follows:]

Statement for Congressman Tom Campbell before the Energy and Water Subcommittee
March 6, 1996

Mr. Chairman and members of the Committee,

I am here today to support the Santa Clara Valley Water District's requests for FY1997 funding. The problem in the region is area flooding, which was especially bad last year. The parts of the project already in place protected many communities, and the project itself is nearly done. The funds we are requesting will continue construction on these important flood control projects.

In light of dramatic flooding along the Guadalupe River last year, I am supporting the Santa Clara Valley Water District's request of $12.5 million to continue construction of the Guadalupe River project protecting San Jose and Alviso.

Serious flood damage was avoided along the Coyote Creek last year due to the protection offered by this project. Work needs to be completed in order to provide comprehensive protection to the community, and I support the District's request for $2.4 million to complete construction of the Coyote Creek project and the Berryessa Creek.

In addition to these two projects, I support the request for $580,000 for a feasibility study for the Upper Guadalupe River project, and $665,000 for a feasibility study for the Upper Pennitencia Creek project. I understand that funding for these four programs is supported by and will be included in the Clinton Administration's FY97 budget, and thereby fit well into budgetary goals.

As a final item, I am supporting continued funding for the San Jose and San Francisco wastewater reclamation projects. These projects are being sponsored locally by the Santa Clara Valley Water District, and the California Water Commission endorses their request.

I thank the committee for its time and consideration.

(Note: Zoe Lofgren also supports the request and is supposed to be there at some point as well)

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. NANCY PELOSI, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. We turn now to Congresswoman Pelosi.

Ms. PELOSI. Thank you, Chairman of the day, Mr. Riggs, and to Chairman Myers, and I am sorry Mr. Bevill is not here but I want to associate myself with the remarks of others that have gone before and salute your service to the committee and to the Congress and an appreciation for what you have done for California.

With Mr. Riggs and Mr. Fazio up there, I feel very comfortable that we will have our day, obviously, and that the merit of our ideas will come across and that priority will be given to them.

Mr. MYERS. I don't think you will miss us.

Ms. PELOSI. No, we will miss you.

I want to also thank you for not only your past appreciation for California's projects but also for getting your 1996 bill through and signed. That was a real model to the rest of the Congress, and I can say clearly, as evidenced here, that under this committee everything is bipartisan in terms of how you conduct yourself and how the California delegation comes together.

I will have a very long statement I will submit for the record and just touch on very briefly. Everything in my statement is authorized, is a continuing project and is a multidistrict. It affects the San Francisco Bay area, if not a larger part of northern California.

Quickly. San Francisco Harbor maintenance: $5.3 million for cyclical Corps operations, routine maintenance of the San Francisco Bay Channel and Harbor.

Two, long-term management strategy: $100,000 estimated for a study purposed to seek solution to dredge proposals and develop long-range plans to address both economic and environmental concerns of our area. Much more in my statement on that subject, Mr. Chairman.

Sonoma Baylands Wetlands Restoration Project: The Corps will breach the main unit of this project in September which will open the wetlands to tides. This will mark the final step of the project, and I am assured that the funding necessary for completion is available within the Corps project.

Mr. Lantos gave a full presentation on San Francisco Bay Area Water Reclamation. I wanted to associate myself with his remarks and point out that local partners of this project are committed to meeting a 50–50 cost share with the Bureau of Reclamation for this project.

And finally, the Winter-Run Chinook Salmon Captive Broodstock Program: The Bureau of Reclamation, $500,000. This program is in its fifth year of operation and at mid-term reflects a successful venture to supplement the natural run of winter-run chinook salmon.

Nat Bingham is here with us today and will testify later. He is the Director of Habitat of the Pacific Coast Federation of Fishermen. He has said it is an essential biological insurance policy, and he will say more on that later. I urge the subcommittee to provide the necessary $500,000 for that.

Separate from that, I want to support Congresswoman Woolsey's request on the Bolinas Lagoon study, which is not in my district, not authorized, but a very worthy project.

With that, again, once again, I say thank you. To say thanks a million doesn't go nearly far enough to Mr. Chairman. Thank you.

Mr. RIGGS. Thank you, Congresswoman Pelosi. That is very precise.

Mr. MYERS. Just throw a few more zeros on that.

Mr. RIGGS. Thanks for the memory.

[The statement of Ms. Pelosi follows:]

STATEMENT OF REPRESENTATIVE NANCY PELOSI
BEFORE THE APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER
March 6, 1996

Mr. Chairman, Members of the Subcommittee;

Thank you for convening "California Day." You are to be commended for the Subcommittee's successful efforts in the Fiscal Year 1996 appropriations process and I appreciate the funding provided for specific Bay Area projects in last year's bill.

I have some basic requests for Fiscal Year '97, all of which are follow-on requests for existing projects in or near my district.

San Francisco Harbor Maintenance

U.S. Corps of Engineers:

- San Francisco Bay Channel -- $2.4 million
- San Francisco Harbor drift removal -- $2.6 million
- San Francisco Bay Channel Reconnaissance Report -- $300,000

These are estimates for funding in Fiscal Year '97 for routine, cyclical Corps operations and maintenance of the San Francisco Bay Bar Channel and Harbor.

Long Term Management Strategy (LTMS)

U.S. Corps of Engineers -- $100,000 estimated

This funding would provide for completion of the LTMS final EIS and Management Plan.

The San Francisco Bay Area's LTMS was initiated in 1990 as a cooperative effort bringing together government agencies, fishing and navigation interests, environmental organizations, and the public. Its purpose was to seek solutions to dredge disposal and to develop a long-range plan to address both economic and environmental concerns in our area.

During the first years of its existence, the LTMS has succeeded in designating an ocean disposal site; improved in-Bay sediment testing; and improved management of in-Bay disposal sites.

Even with the completion of Sonoma Baylands Wetlands restoration at hand and the designation of an ocean disposal site, serious concerns remain about in-Bay disposal. We are still faced with the fact that 80 percent of all dredged material goes to in-Bay sites and less than 10 percent goes to ocean disposal or to beneficial reuse. I would suggest to the Subcommittee that the Corps be further encouraged to pursue the approach of maximizing the benefits of dredged material as a resource while minimizing the adverse impacts from disposing of it in San Franciso Bay as waste.

Our area continues to require a menu of sites to minimize the environmental risks to the San Francisco Bay and to develop alternatives that will also provide for disposal of contaminated materials.

While we are near completion of selecting a final EIS and an acceptable alternative to the status quo, we remain at a critical crossroads. We must do everything possible to balance upland/wetland re-use and ocean disposal to provide relief for the Bay. This has been the Bay Area delegation's goal from the beginning and this is the road we should continue to travel.

Sonoma Baylands Wetlands Restoration

The Corps will breach the main unit of this project in September, which will open the wetlands to tides. This will mark the final step of the project and I am assured that the funding necessary for completion is available within the Corps budget.

San Francisco Bay Area Water Reclamation Project

Bureau of Reclamation -- $1.5 million

This funding is essential to the ongoing feasibility study to identify certain areas in California where high quality recycled water could be used to provide agricultural irrigation or salinity control to other areas of the state.

Over two-thirds of the San Francisco Bay Area's recycled water exceeds local usage and could be exported to meet the needs of other regions.

Phase I of the study identified the major areas for beneficial use as:

1) Sacramento - San Joaquin Delta
2) Delta Mendota Canal
3) Monterey - Salinas

Phase II would allow this unique partnership to review the social, economic, and environmental issues to be addressed. I urge the Subcommittee to provide funding for this important project which will help meet agricultural demands, offset environmental diversions of water and provide drought protection.

The local partners of this project are committed to meeting a 50-50 cost share with the Bureau of Reclamation for this project.

Winter Run Chinook Salmon Captive Broodstock Program

Bureau of Reclamation -- $500,000

This program is now in its fifth year of operation, and at mid-term, reflects a successful venture to supplement the natural run of Winter Run Chinook Salmon.

As Nat Bingham, the Habitat Director of the Pacific Coast Federation of Fisherman states, "It's an essential biological insurance policy."

The program has successfully established an interagency effort, built rearing facilities at Bodega Marine Laboratory, and the Steinhart Aquarium and is holding in captivity approximately 1200 salmon in varying stages of maturation. This is a vital, ongoing program, and I urge the Subcommittee to provide the necessary $500,000 for this continuing effort.

Mr. Chairman, Members of the Subcommittee, thank you for your time today and your interest in these Bay Area projects.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. GEORGE RADANOVICH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. George Radanovich. I saw George earlier. Did he submit testimony for the record?

Mr. FAZIO. He submitted his testimony. He will get everything.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. JAY KIM, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. Mr. Cox, we will hold his place. Tom Campbell. Congressman Jay Kim.

Mr. KIM. Thank you. I already submitted my written statement. I will make mine very brief.

I have four small projects that really have great impact on southern California. First is San Antonio Creek, already approved $200,000 for the study last year. We need an additional $50,000 to complete the study.

What is $50,000? This is part of the Santa Ana Project and the Corps of Engineers owns this project. They told us the channel is inadequate and almost set a moratorium to prohibit the remainder for the connections to the channel.

That was difficult for our community because we don't have any alternatives and virtually all the housing projects had to stop. All we need is an additional $50,000 to complete the study. And even though it is a federally owned channel, the local government is willing to contribute up to $18 million. It is such an important project to us.

The second one is Santa Ana River Mainstem Project, again an ongoing continued project. The project has been under construction since 1989. Just asking you to reauthorize this.

The third one is Orange County Regional Water Reclamation Project, which is asking for $600,000 to fund the environmental study and design, preliminary design.

What it is, instead of discharging valuable water, 100,000 acre-feet of water into the ocean, we would like to save this water, pump it to Santa Ana River basin, spreading basins, and also recharge it to the groundwater basin. That is what it is. It is fully authorized under Public Law 102–575.

The last project is San Sevaine Creek Water Project. Again, it is my final request, and it is to provide $3 million for the San Sevaine Creek Water Project.

What it is, this project is actually 1 of the 11 projects grandfathered into the Small Reclamations Projects Act in 1994. The project will recharge again 25,000 acre-feet of stormwater runoff into the Chino groundwater basin. Again, to try to save this valuable water instead of wasting it.

And thank you again, Mr. Chairman, for inviting me this morning.

Mr. RIGGS. Thank you, Mr. Kim. We certainly appreciate those Southern California efforts to reclaim and reuse wastewater.

[The statement of Mr. Kim follows:]

THE HONORABLE JAY KIM
TESTIMONY BEFORE THE
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT OF THE HOUSE APPROPRIATIONS COMMITTEE

MARCH 6, 1996

THANK YOU MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE FOR THE OPPORTUNITY TO TESTIFY BEFORE YOUR SUBCOMMITTEE AND RECOMMEND FOUR PROJECTS FOR YOUR CONSIDERATION:

1. THE SAN ANTONIO CREEK FLOOD CONTROL CHANNEL RECONNAISSANCE STUDY.
2. THE SANTA ANA RIVER MAINSTEM PROJECT.
3. THE ORANGE COUNTY REGIONAL WATER RECLAMATION PROJECT.
4. THE SAN SEVAINE CREEK WATER PROJECT.

SAN ANTONIO CREEK RECONNAISSANCE STUDY

MY FIRST REQUEST IS FOR $50,000 TO COMPLETE THE RECONNAISSANCE STUDY AND INITIATE A FEASIBILITY STUDY FOR SAN ANTONIO CREEK. AS YOU KNOW, YOUR SUBCOMMITTEE APPROVED $200,000 FOR THE STUDY LAST YEAR.

THIS PROJECT IS AN EXISTING CORPS OF ENGINEERS CHANNEL FACILITY WHICH CONVEYS FLOWS FROM BOTH LOS ANGELES AND SAN BERNARDINO COUNTIES INTO THE PRADO RESERVOIR -- WHICH IS PART OF THE SANTA ANA RIVER MAINSTEM PROJECT. INITIAL EXAMINATIONS BY THE CORPS AND THE SAN BERNADINO FLOOD CONTROL DISTRICT HAVE FOUND THE CHANNEL TO BE INADEQUATE TO CONVEY 100 YEAR STORM FLOWS.

IN ADDITION, THE CORPS HAS ADVISED THE TWO COUNTIES AND THE LOCAL COMMUNITIES THAT NO FURTHER STORM DRAIN CONNECTIONS TO THE CHANNEL CAN BE MADE UNTIL THE STUDY IS COMPLETED AND MODIFICATIONS ARE MADE TO THE CHANNEL. THIS HAS CREATED A TREMENDOUS HARDSHIP FOR THE LOCAL COMMUNITIES AS THERE IS NO OTHER ALTERNATIVE TO CONNECTING WITH THE SAN ANTONIO CREEK CHANNEL.

ALTHOUGH SAN ANTONIO CREEK IS A FEDERALLY OWNED AND OPERATED FLOOD CONTROL FACILITY, SAN BERNARDINO COUNTY HAS AGREED TO CONTRIBUTE BETWEEN $15 AND $18 MILLION FOR THE MODIFICATIONS AND IMPROVEMENTS.

THE SANTA ANA RIVER MAINSTEM PROJECT

MY SECOND REQUEST IS TO SUPPORT $52 MILLION TO CONTINUE CONSTRUCTION ON THE SANTA ANA RIVER MAINSTEM PROJECT. THIS PROJECT IS FULLY AUTHORIZED AND HAS BEEN UNDER CONSTRUCTION SINCE 1989. THE SANTA ANA MAINSTEM IS A MAJOR FLOOD CONTROL PROJECT DESIGNED TO PROTECT MILLIONS OF ORANGE COUNTY RESIDENTS, AND I URGE THIS COMMITTEE TO SUPPORT THE REQUEST.

THE ORANGE COUNTY REGIONAL WATER RECLAMATION PROJECT

MY THIRD REQUEST, IS FOR $600,000 TO FUND THE ENVIRONMENTAL STUDIES AND PRELIMINARY DESIGN PHASES OF THE ORANGE COUNTY REGIONAL WATER RECLAMATION PROJECT.

BY YEAR 2020, THE FINAL PROJECT WOULD RECLAIM 100,000 ACRE FEET OF

WASTEWATER THAT IS CURRENTLY DISCHARGED INTO THE PACIFIC OCEAN. THIS WATER WOULD BE PUMPED 13 MILES TO THE SANTA ANA SPREADING BASINS AND RECHARGE THE AQUIFER.

THE DESIGN PHASE OF THIS BUREAU OF RECLAMATION PROJECT REQUEST IS FULLY AUTHORIZED UNDER PUBLIC LAW 102-575.

THE SAN SEVAINE CREEK WATER PROJECT

MY FINAL REQUEST, IS TO PROVIDE $3,000,000 FOR THE SAN SEVAINE CREEK WATER PROJECT. SAN SEVAINE IS ONE OF THE ELEVEN PROJECTS "GRAND FATHERED" INTO THE "SMALL RECLAMATION PROJECTS ACT" IN 1994. THE PROJECT WILL RECHARGE 25,000 ACRE FEET OF STORM WATER RUNOFF INTO THE CHINO GROUNDWATER BASIN. IN ADDITION, THE PROJECT WILL PROVIDE ENHANCED FLOOD CONTROL, ENVIRONMENTAL, AND WATER CONSERVATION BENEFITS FOR WESTERN SAN BERNARDINO COUNTY.

AGAIN, THANK YOU MR. CHAIRMAN.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. ELTON GALLEGLY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. We now turn to Elton Gallegly.

Mr. GALLEGLY. Thank you very much, Mr. Chairman and members of the subcommittee. I truly appreciate this opportunity to express to you my strong support for certain flood control, coastal preservation, water reclamation and harbor dredging projects in my Ventura and Santa Barbara districts in California.

First, I would like to commend the committee for its wisdom and foresight in providing critical assistance to these projects last year following two federally declared flood and winter storm disasters that inflicted my district. Now the continued help of the committee will allow completion of several repair projects, mitigate the likely effects of future storm and flood problems, and fulfill long-standing Federal commitments.

In recognition of the demands imposed on the committee's time and long lists of witnesses today, I will, with the committee's approval, succinctly summarize the priority programs and projects of concern to me and submit to the committee for the committee's consideration a more detailed statement for the record.

Mr. Chairman, I strongly support the request and request the committee's favorable action for the following projects: Santa Paula Creek Flood Control Project, $4.2 million for construction to commence on this long-awaited and critically important project.

Ventura Harbor, $3.9 million for essential dredging of navigational channels to repair the detached breakwater and jetty damaged by the winter storm and wave conditions. Additionally, I ask for $350,000 to allow the Corps to initiate its reconnaissance study to identify new and more efficient cost saving strategies for harbor maintenance.

Port of Hueneme, $200,000 for the Federal portion of a cost shared study to deepen the Federal navigational channels for shipping at the port; $2.549 million to meet Federal responsibilities for harbor dredging and repair of the east jetty to protect the harbor entrance.

Channel Islands Harbor, $2 million for the Federal share of operational maintenance dredging of 1 million cubic yards, and $1.6 million for dredging and restoration of the sand trap.

Port Hueneme Water Agency, $2.5 million, a Bureau of Reclamation funding for a brackish water reclamation demonstration facility to meet the vital water quality needs for coastal communities, including the two U.S.-Navy installations, and to test side-by-side desalination technologies.

Ventura-Santa Barbara coastal shoreline protection, $300,000 to complete work on a Corps reconnaissance study and to initiate a feasibility study to provide essential information about preventive strategies to reduce wave damage to coastal properties.

Mr. Chairman, I really appreciate the opportunity to be here before the committee today, and I particularly want to thank you, John, and, Tom, who has taken a break, for the friendship I have had with you folks. This is my 10th year to testify before this committee. It seems like only yesterday. I value that friendship and I value the leadership that you have contributed to this committee, both you, John, and Tom, and I look forward to our continued friendship over the years and wish you nothing but the best.

Mr. MYERS. Thank you, Elton. Thank you very much.

Mr. RIGGS. Thank you very much for your testimony, Congressman Gallegly.

[The statement of Mr. Gallegly follows:]

APPROPRIATIONS SUBCOMMITTEE

ON

ENERGY AND WATER DEVELOPMENT

MARCH 6, 1996

TESTIMONY OF
THE HONORABLE ELTON GALLEGLY
MEMBER OF CONGRESS
23RD DISTRICT OF CALIFORNIA

Mr. Chairman, Members of the Subcommittee, I appreciate this opportunity to express to you my strong support for certain flood control, coastal preservation, water reclamation and harbor dredging projects in my Ventura and Santa Barbara Counties district in California.

First, I would like to commend the Committee for its wisdom and foresight in providing critical assistance to these projects last year following two federally-declared flood and winter storm disasters that inflicted my district. Now the continued help of the Committee will allow completion of several repair projects, mitigate the likely effects of future storm and flood problems and fulfill longstanding federal commitments.

I strongly endorse and ask the Committee's favorable action on the following projects:

Santa Paula Creek Flood Control Project I ask the Committee to provide $4.2 million in FY 97 reflecting the optimum scheduling capability of the U.S. Army Corps of Engineers to initiate construction of phases one and two simultaneously on this critically needed flood control project. Originally authorized by Congress in 1948, fulfillment of this funding request combined with funding support provided in FY 96 will provide remedies to conditions threatening public health and safety as well as public and private property, including some 4,000 houses, the city of Santa Paula's historic district and five of the community's seven schools. It is anticipated the administration, in recognition of this need, is likely to support, in its budget submission, a similar funding level.

Ventura Harbor I ask the Committee's support of $3.9 million in FY 97 to repair a detached breakwater and jetty damaged by Pacific winter storms and severe wave conditions and to provide for needed maintenance dredging to keep federal navigational channels passable. Additionally, I ask the Committee to provide $350,000 to initiate the reconnaissance phase of a sand by-pass study by the Army Corps of Engineers at Ventura Harbor as authorized by the Committee on Infrastructure and Transportation last year. It is anticipated the funding of this study will lead to significant long-term cost savings by identifying and implementing new, more efficient maintenance strategies replacing historic annual dredging requirements. These new strategies would also yield storm damage protection, ecological restoration and enhancement of area beaches.

Port of Hueneme (Oxnard Harbor District) The Committee's favorable consideration and support of funding in three categories for the Port of Hueneme is requested:

* $200,000 to meet the federal obligation for completion of an on-going cost-shared feasibility study to deepen the navigational channels in compliance with federal priorities for shipping at the port;

* $2.549 million to meet federal obligations for removal of approximately 200,000 cubic yards of dredge material from the harbor and repair the East jetty protecting the harbor entrance severely damaged by Pacific winter storms and wave action.

Channel Islands Harbor I request the Committee's favorable consideration for $2 million for the federal share of operational and maintenance dredging of 1 million cubic yards and $1.6 million for dredging and restoration of the sand trap for a total federal cost of $3.6 million.

I ask the Committee's continued support for the Port Hueneme Water Agency's Water Quality Improvement Program. Specifically, I ask $2.5 million be allocated from Bureau of Reclamation funding to support the brackish water reclamation demonstration facility. This facility is the cornerstone of the program to provide long-term reliable quality water to several coastal communities in my district including the City of Port Hueneme, the Channel Islands Beach area, the U.S. Naval Construction Battalion Center and the U.S. Navy Air Weapons Station at Point Mugu. This project is critical to meet current and anticipated state and federal regulations to prevent salt water intrusion of fresh water aquifers and extend fire flow by expanded pipeline networks. Importantly, this facility will provide a full-scale, side-by-side demonstration of three (3) desalination technologies considered most promising for brackish water desalting. This technical information will be provided nationwide to other communities confronting this problem. The Committee's help in FY 97 will allow continuation of the work begun on the project in FY 96 then afforded by the Committee's allocation of funding assistance.

Finally, I ask the Committee to provide $300,000 in FY 97 to the Corps of Engineers to complete work on a reconnaissance study begun with the Committee's help in FY 96 for the Ventura-Santa Barbara Counties Coastal Shoreline Protection and to initiate work on a feasibility study. When completed, this study will provide essential information about preventive strategies to reduce storm damage to coastal properties, better utilizing sand dredged from nearby harbors to prevent erosion. Long term costs to federal, state and local government and private property owners will be greatly reduced by anticipated preventive strategies that effectively address the threatened damage of Pacific winter storms and severe wave conditions that all too often swamp both residential and commercial developments and major public facilities.

While at this time, we do not enjoy the benefit of knowing the Administration's budget priorities, we do expect that many of the projects and funding levels I identified will, or at least should, be included in the Administration's detailed budget submittal to the Committee later this month.

I appreciate the Committee's attention and ask for your favorable consideration of these projects so important to me and my constituents and to the economy of our area of Southern California.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. SAM FARR, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. Congressman Sam Farr.

Mr. FARR. Thank you very much, Mr. Chairman.

I live in a watershed basin on the coast of California and there are no other congressional districts that lap over into it, and the watershed is essentially one that has experienced the epicenter of the Loma Prieta earthquake in 1989, and the largest base closure in 1992, and last year, almost this week, had the 500-year flood, so the infrastructure has really been torn apart, and I want to, again with others, thank this committee for the way it has responded to the needs of that part of California.

I think you would be very proud of the modeling that is really going on. I don't mean just modeling for this country but modeling for the world on how you reclaim water and use it. You have now the largest project in the United States, the largest number of acres of agricultural row crops that are being irrigated with wastewater, and the project is not totally completed and so I represent three counties and I have four requests.

The first is on the Salinas Valley Reclamation Project, which is a project to stop saltwater intrusion, and the pipelines are being laid in the project right now for the Salinas Valley Reclamation Project and concurrent with the Castroville Seawater Intrusion Project. Construction of both these projects is progressing rapidly, with completion expected in the summer of 1997.

The projects are financed through a complex mix of Federal and local financing. Funding from the Bureau of Reclamation's Small Reclamation Loan Program has been the linchpin for this financing mix. Last year, you allocated $1.1 million to the Salinas Valley Reclamation Project and $1.5 million to the Castroville Seawater Intrusion Program through the loan program. I urge the subcommittee to give its continued support to the Small Reclamation Loan Program.

I also urge the subcommittee's support of $7 million in funding for the first phase of the 2-year construction period in the San Lorenzo River Flood Control Project. This is right through the city of Santa Cruz. The U.S. Corps of Engineers has estimated that the fully funded construction costs of the project will be $17.9 million, almost half of which will be the responsibility of the city of Santa Cruz.

In addition to the construction funds, I urge the subcommittee to include $1 million to help fund an environmental restoration project on the San Lorenzo River under section 1135 of the 1986 Water Resources Development Act.

The third project is in the Santa Cruz Harbor dredging. I urge the subcommittee to appropriate $1.8 million to fund the Federal Government's obligation to participate in the ongoing harbor maintenance dredging project.

Essentially what happened is this was a Corps of Engineers project which the harbor district agreed to pick up and do with their own. They even bought their own dredging boat. It has been a Memorandum of Understanding in which the port maintains the harbor entrance through its own dredging program. The agreement runs through the year 2014 and what they want to do is to renegotiate that. They want to pick up the project so that they will continually do it, forever. But they want some Corps participation.

So the harbor has proposed changes in the Water Resources Development Act that would modify the Memorandum of Understanding to dramatically lower the total Federal cost of the dredging project by boosting the level of Federal support in the near term but not having to take it over in the long term. And so I would appreciate that.

And lastly, a very interesting commercial port in California is Moss Landing. Moss Landing is the center of Monterey Bay. It has recently had the investment of over $60 million by one individual, by David Packard, who built his own deep ocean research center there and just purchased a $20 million research vessel.

The problem is the harbor is full of sediment. The sediment is full of DDT and the breakwater is falling apart. So, indeed, if we are going to support and we have Federal funds coming into the research projects that are being conducted there, the infrastructure for supporting that harbor for both commercially and for research purposes needs to be improved, and I request that the harbor needs a $1.3 million repair of the breakwater and the Corps of Engineers has, I think, included that in their maintenance and operation budget.

So I appreciate the consideration of the committee. I am very proud of the fact that this committee has taken an interest in these projects, and I think what you will see if you come to visit the area is the amount of modeling between private sector financing, Federal financing, and local community financing. And the end product is really something we should be having the rest of this country do and certainly demonstrate to other countries of how to reclaim water, how to adequately develop dredging, and how to build our levees, not only so that they are safe for flood protection but they can be an economic enhancement for really creative designs like the San Antonio river project and things like that.

So I appreciate your time, and thank you, and I will submit the details for the record.

[The statement of Mr. Farr follows:]

SAM FARR
17TH DISTRICT, CALIFORNIA

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DEPARTMENT OPERATIONS, NUTRITION
AND FOREIGN AGRICULTURE
RISK MANAGEMENT AND SPECIALTY CROPS

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Rep. Sam Farr
Statement on FY97 Energy & Water
Appropriations Requests

March 6, 1996

Mr. Chairman, thank you for this opportunity to testify before you today. I want to urge your support of Important public works projects that are crucial to the sustained economic development of my Central Coast California district. These projects will bring crucial economic benefits to the people of my district for a relatively very small cost to the federal government.

The Salinas Valley Reclamation and Castroville Seawater Intrusion Projects.

The first project I want to draw your attention to is the Salinas Valley Reclamation Project. This reclamation project, which along with its companion Castroville Seawater Intrusion Project, is designed to ease the seawater intrusion problem at the mouth of the Salinas Valley. Seawater intrusion threatens the groundwater supplies of the Salinas Valley's coastal agriculture as well as the municipal water supplies of the small town of Castroville and the major city of Salinas.

In an effort to fight this groundwater threat, my region's local government, under the leadership of the Monterey Regional Water Pollution Control Agency and the Monterey County Water Resources Agency, have developed a plan to ease the demand for groundwater, and thus allow the aquifer to recharge. The key to this plan is the use of reclaimed wastewater to irrigate the prime agricultural production near Castroville. The Salinas Valley Reclamation Project will supply that water. The Castroville Seawater Intrusion Project will distribute the reclaimed water for irrigation through a network of distribution pipes. Construction of both projects is progressing rapidly with completion expected by Summer 1997.

The projects are financed through a complex mix of federal and local financing. Funding from the Bureau of Reclamation's Small Reclamation Loan program has been the linch pin to this financing mix. Last year, this Subcommittee allocated $1.1 million to the Salinas Valley Reclamation Project and $1.5 million to the Castroville Seawater Intrusion Project through this loan program. I urge the Subcommittee to give its continued support to the Small Reclamation Loan Program and these two important projects in particular.

San Lorenzo River Flood Control

I also urge the Subcommittee's support of $7 million in FY 1997 funding for the first phase of the two-year construction period for the San Lorenzo River Flood Control Project. The U.S. Army Corps of engineers has estimated that the fully funded construction costs of the project will be $17.9 million, almost half of which would be the responsibility of the City of Santa Cruz.

In addition to the construction funds, I urge the Subcommittee to include $1 million to help fund an environmental restoration project for the San Lorenzo River under Section 1135 of the 1986 Water Resources Development Act. Like the construction phase of the project, the City of Santa Cruz would pay a substantial share of the restoration effort.

The City of Santa Cruz has been working for more than 20 years with the U.S. Army Corps of Engineers to upgrade the protection offered by its existing flood control project, which offers less than 30 year level flood protection. More than 1,000 residential and 300 commercial structures as well as the city's core commercial district are at risk. The old flood control project is woefully inadequate, both in terms of flood control and environmental performance. I urge the Committee's support of these two important projects.

Santa Cruz Harbor Dredging

Finally, I urge the Subcommittee to appropriate $1.8 million to fund the federal government's obligation to participate in an ongoing harbor maintenance dredging project.

The Santa Cruz Harbor, located on the northern shore of California's Monterey Bay, is a major regional commercial harbor that is a significant contributor to the Monterey Bay region's economy. The Santa Cruz Port District and the federal government have an existing memorandum of understanding under which the Port District maintains the harbor entrance through its own dredging program. This agreement runs through 2014. Prior to the inception of the dredging project under the agreement in 1986, sand build-up at the harbor entrance caused a severe navigation hazard during high wave periods.

The Harbor has proposed changes in the Water Resources Development Act to modify the Memorandum of Understanding to dramatically lower the total federal cost of the dredging project by boosting the level of federal support in the near term. The funding that I am requesting on the Harbor District's behalf is the necessary level of federal funding to accommodate these proposed changes.

I am working with the Harbor District to secure the changes they need in the Water Resources Development Act to modify the Memorandum of Understanding with the Corps of Engineers. I urge the Subcommittee to make the requested funding available in anticipation of these changes being made in the 1996 Water Resources Development Act.

Thank you, Mr. Chairman and members of the Subcommittee for this opportunity to testify before you. I look forward to working with the Subcommittee on the FY 1997 Energy & Water appropriations legislation.

Mr. FAZIO. Mr. Chairman, I just wanted to, if you would yield for a second, welcome back Rick Lehman, a former Member who used to sit in here and ask for lots of money. He told me he is happy George Radanovich had given him his freedom and he is loving the private sector.

Mr. RIGGS. Sam, I want to ask quickly, are you going to submit a written request on Moss Bay to supplement your testimony?

Mr. FARR. Yes, I will. That was not in the written testimony.

Mr. RIGGS. What amounts are you requesting for fiscal year 1997 for the Castroville and Salinas Valley?

Mr. FARR. They are in the President's budget and they will be the second phase of that loan.

Mr. RIGGS. And that $1.8 million for the Santa Cruz harbor dredging will cover the Federal Government's obligation from present to the year 2014?

Mr. FARR. No, they want to renegotiate the Memorandum of Understanding so that the Federal Government doesn't have to pick up all the costs. The way it is now, after the year 2014 the Federal Government has to pick up all of the costs. They want to continue the relationship they have now in perpetuity, but they want the Federal Government to participate a little bit more now so that they won't have to pick up the whole cost later.

Mr. RIGGS. So the $1.8 million is contingent upon renegotiating the agreement?

Mr. FARR. That is correct.

Mr. RIGGS. Thank you very much.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. CHRISTOPHER COX, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. Congressman Wally Herger. Excuse me, Wally, if you don't mind yielding, I was going to back up and receive the testimony of Chris Cox who had to leave momentarily.

Mr. COX. I apologize. I have been in and out because there is a markup going on on another floor.

I want to thank you all for your patient consideration of all the testimony from California today, and because I personally have listened to some of the testimony about the continued need for Federal support of the Santa Ana Mainstem Project, I will not provide you with all the details and background on that. Even if no one came from California to testify about that today, my prior testimony is so etched in your mind you could probably give it.

But, as you know, it is over half complete, well on its way. The first funding occurred in 1989, when I first came to Congress. It is the fourth flood threat west of the Mississippi. I am delighted Congress is committed to it. I thank you for your commitment to it, and we are hoping that 100-year flood which occurred in 1862 and 1938 doesn't occur between now and when we finish it because we know that if it were to happen, 3,000 people would die in that one day.

Mr. MYERS. Chris, if you get George Brown and Bob Dornan to agree on anything, it must be pretty good.

Mr. COX. I think that is exactly right.

I want to underscore some of the earlier testimony you have also received for some additional projects. $600,000 for the U.S. Bureau of Reclamation to help fund design of the Orange County Regional Water Reclamation Project. This is supported by the California Water Commission and regional leaders, and it will allow up to 100 million gallons a day of wastewater to be treated and percolated into the groundwater basins instead of what happens now, which is it just gets dumped into the Pacific Ocean.

Second, $200,000 for the Army Corps of Engineers to continue its studies of upper Newport Bay and to determine the feasibility of extending and widening the existing Federal channel into this estuary for the purpose of enhancing and protecting wetland areas. The Corps of Engineers' initial study was supported by this subcommittee last year with $250,000. It concluded, the study that you have already supported, that the feasibility study should be undertaken and so I ask that that follow-on request be granted.

The funds are essential because, if we don't pay attention, the material flows from the upper bay and main harbor will undo the extensive restoration efforts that have recently been completed and greater escalate the future main harbor maintenance costs.

Two remaining projects: $300,000 for the Corps of Engineers to complete their planning and environmental studies necessary to allow for permanent designation of the LA–3 ocean disposal site. This is something that sounds bureaucratic but in fact when I was last home all hell broke loose because if this is not permanently designated, if this disposal site is not permanently designated, it will become prohibitively expensive to continue the dredging in Upper Newport Bay and that is very, very important. We want to continue that.

Finally, $1.9 million for the Corps of Engineers to complete the jetty repair that they began last year to the two Newport Beach Harbor jetties. These are Federal jetties. They have been virtually trouble-free for a half century. We simply need to make sure life continues this waive. If we don't do this necessary maintenance work of course we might face some trouble, but I think we can expect the next half century to look like the last half century provided we do this.

I appreciate the subcommittee's consideration of these requests, and I want to thank the Chairman and the other members of this subcommittee, all of you at the moment, Mr. Riggs and Mr. Fazio, Californians, it has to be a great subcommittee. Thank you very much for your attention.

Mr. MYERS. Thank you.

[The statement of Mr. Cox follows:]

MARCH 6, 1996

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

TESTIMONY OF CONGRESSMAN CHRISTOPHER COX IN SUPPORT OF THE SANTA ANA RIVER PROJECT

Thank you, Mr. Chairman, for the opportunity to testify this morning about one of the most important public works projects in our nation, the Santa Ana River Mainstem Project.

Before I begin, allow me to recognize two Orange County citizens who are here in support of this project:

- Mr. William Zaun, the Orange County Director of Public Works, whose work has been critical to the success of the Santa Ana River Flood Control Project.

- Mr. Robert Bein of the Orange County Business Council is also here in recognition of the enormous importance that our regional leaders place on the completion of this project.

As you know, Mr. Chairman, thanks to the decision of this subcommittee, we were successful in obtaining initial funding for the Santa Ana River Mainstem Project in 1989, during my first year in Congress, and the project has continued apace since then.

Using these appropriations, the Army Corps of Engineers has made good progress in the project's construction. Beginning at the Pacific Ocean, channel improvements are advancing upstream into Orange County. At the project's upper end, nearly 60 miles from the ocean, Seven Oaks Dam in San Bernardino County is under construction. Near the mid-point of the project, lands are being acquired for the enlargement of the existing Prado unit of the project.

It's vitally important that we move to complete the work we've begun on this important project in time to guard against an impending flood disaster that the Army Corps of Engineers has described as the most serious flood threat west of the Mississippi.

In 1862 and 1938, huge floods covered half of the entire area between the San Bernardino Mountains and the Pacific Ocean. Back then, this was mostly agricultural land. But today, it is a huge metropolis encompassing millions of people. In other words, Mr. Chairman, today such a flood threat would--without warning--wipe out 110,000 acres from Anaheim to the Pacific Ocean, affecting 2.5 million people and, to an actuarial certainty, killing more than 3,000 people. It would destroy half a million homes; and it would inflict an estimated $15 billion in property damage.

It would also have a crippling effect throughout California. That is why it is supported by the statewide California Water Commission, headquartered in Sacramento. But even worse, Mr. Chairman, expert economists tell us our entire country would feel the impact of such a gigantic, destructive loss. These same economists tell us the ripple effects from this very preventable natural disaster would be felt immediately around the world.

Mr. Chairman, it is ironic that this inevitable flood disaster we face in Southern California is occasionally referred to as a "100-year flood." It is so called because statistically speaking, such a devastating flood will occur, on average, every one hundred years. However, an equally appropriate name might be the "imminent catastrophic flood"--because it is just as likely to happen next year as it is 100 years from now. That's why we must act now.

As the Appropriations Committee has indicated in the past, this is obviously a project with tremendous merit, and one which needs and deserves continued Congressional support. I respectfully request that the Congress support the U.S. Army Corps of Engineers' appropriations request--expected to be $51 million--for the Santa Ana Mainstem Project for fiscal year 1997.

Additionally, I'd like to recognize several other Orange County projects which earned the support of the Subcommittee last year and which I believe are worthy of the Subcommittee's continued attention:

- $600,000 for the U.S. Bureau of Reclamation to help fund design of the Orange County Regional Water Reclamation Project. This landmark project, which is supported by the California Water Commission and regional leaders, would eventually allow up to 100 million gallons per day of wastewater to be treated and percolated into groundwater basins instead of simply being discharged into the Pacific Ocean.

- $200,000 for the Army Corps of Engineers to continue its studies in upper Newport Bay Harbor and to determine the feasibility of extending the existing federal channel into this estuary to enhance and protect wetland areas, salt marsh, and navigational channels. The Corps of Engineers' initial study, which this Subcommittee graciously provided $250,000 for last year, concluded that a feasibility study should be undertaken. These funds will be essential, because without continued attention, material flows from the upper bay into the main harbor will undo the extensive restoration efforts recently completed and greatly escalate future main harbor maintenance costs.

- $300,000 for the Corps of Engineers to complete all actions, planning, and environmental studies necessary to allow for permanent designation of the LA-3 ocean disposal site. This site, off the coast of Orange County, is used for the disposal of dredged material meeting certain criteria, and has been instrumental in County's ability to restore Upper Newport Bay Harbor. If the LA-3 site is allowed to expire, the cost of safely disposing of dredged material will be significantly increased, and continuing restoration efforts could become economically infeasible.

- $1,900,000 for the Corps of Engineers to complete jetty repair begun last year to the two Newport Beach Harbor jetties. These two federal jetties have been virtually trouble-free, requiring almost no repair for the last 50 years. This final appropriation would be used to finish repairing the deterioration of the entrance jetties before greater damage occurs, and represents a solid investment that would allow the city to maintain a high visibility harbor navigational entrance.

I appreciate the subcommittee's consideration of these requests. I thank the Chairman and the other members of this subcommittee for their time.

# # # #

Mr. RIGGS. Chris, you say the LA–3 ocean disposal site is off the coast of Orange County. What is it actually?

Mr. COX. It is off the coast of Orange County designated LA–3 and used for the disposal of dredged material meeting certain criteria. It has been instrumental in the county's ability to restore Upper Newport Bay.

Mr. RIGGS. Island or——

Mr. COX. It is an offshore disposal site.

Mr. RIGGS. Oh, it is actually in the ocean. All right. Thank you again.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. WALLY HERGER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. Wally Herger.

Mr. MYERS. Wally again?

Mr. HERGER. It was short the first time, John.

Thank you, Mr. Chairman, and Members, it is a pleasure, and I appreciate the opportunity to testify before you. While I have addressed a number of priorities in my written testimony, I wish to highlight a few particularly important points at this time.

The winter of 1994–1995 brought one of the worst flood seasons on record to northern California. Floods destroyed hundreds of homes and millions of dollars in property throughout the 10 counties in my northern California district. All 10 were ultimately declared Federal disaster areas. Today, one year after this tragedy struck, many families are still struggling to repair their property and their lives.

This catastrophe was a horrifying reminder of an even more devastating flood that struck in 1986 leaving over 25,000 people homeless in the Marysville/Yuba city area. Congressman Doolittle showed some pictures of this a little earlier.

There is no greater water management priority in northern California than the aggressive improvement and flood protection projects. Damaged levees must be repaired and strengthened and additional structures put into place to prevent a repeat of the devastation we experienced in 1986 and in 1995.

I strongly urge the committee to fully fund flood and levee restoration projects along the Sacramento River and its tributaries as recommended by the California Water Commission. I particularly urge the committee to provide full funding for levee construction and repair in the Marysville/Yuba city area.

Another issue of paramount importance to northern Californians is a predictable and adequate water supply. Water delivery for multiple uses in the region has been severely curtailed due to protection of the threatened winter-run chinook salmon. Recently, declines in the spring-run chinook salmon populations have prompted efforts to list that species, further threatening scarce water supplies.

For this reason I strongly endorse full funding for the construction and maintenance of the temperature control device at Shasta Dam, which will be completed by the fall of this year. Once completed, it will enhance salmon runs and thereby improve water availability for all users within the system.

Likewise, I strongly support rehabilitation of the Coleman National Fish Hatchery. Like the temperature control device, this project is vital to maintaining healthy salmon populations in the Sacramento River. I urge the committee to fully fund the proposed modification at the levels recommended by the California Water Commission again.

Another project that I wish to emphasize is the Trinity River Restoration Program. This habitat mitigation project is instrumental in maintaining healthy salmon populations within the Trinity River, thereby ensuring an adequate supply of water for a variety of users who are dependent upon the Trinity River system.

And I wish to express special thanks to my good friend and colleague, Frank Riggs, for your tireless efforts to promote this project. And I urge the committee to continue funding this program at the requested levels.

In conclusion, there are a number of additional projects that I endorse but which time would not allow me to mention here, but I invite the committee to review my written statement and give full consideration to these requests.

Again, I thank each of you for your time that you give us each year.

Mr. RIGGS. Thank you, Congressman Herger, for your testimony and kind comments.

[The statement of Mr. Herger follows:]

U.S House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable John Myers, Chairman
March 6, 1996

Statement by the Honorable Wally Herger

Thank you, Mr. Chairman, for this opportunity to testify on behalf of the second Congressional district of California.

To begin, I wish to thank each member of the committee for their careful attention to northern California water issues in past years. As you all know, there are few issues more important to the people of the north state than the management of their scarce water resources. I look forward to continuing this spirit of cooperation as we work together with the California Water Commission (the Commission) in setting funding priorities for northern California during the 1996 appropriations process.

The winter of 1995 brought one of the worst flood seasons on record to northern California. Hundreds were left homeless and millions of dollars in property was destroyed as devastating flood waters ravaged each of the ten counties in my district. All ten were ultimately declared federal disaster areas, and today, one year after this tragedy struck, many families are still struggling to repair their property and their lives. This tragedy was a grim reminder of an even more devastating flood that struck northern California in 1986, leaving over 25,000 people homeless in the Marysville/Yuba City area. Today, over ten years after that historic flood, the physical and social effects of that disaster are still seen and felt in the region.

Clearly, there is no greater priority that I will present before the committee today than the need to aggressively improve flood protection projects throughout the whole of the north state. Damage levees must be repaired and strengthened and additional protections put into place to prevent a repeat of the devastation we experienced in 1995. For this reason, I strongly endorse the recommendations of the California Water Commission to fund flood protection and levee restoration projects along the Sacramento River and its tributaries. Specifically, I urge the committee to provide full funding for levee construction and repair in the Marysville/Yuba City area at the levels requested by the Commission.

Another issue of paramount importance to northern Californians is a predictable and adequate water supply. Water delivery for multiple uses in the region has been severely curtailed due to protection of the threatened winter-run Chinook salmon. Recently, declines in spring-run Chinook salmon populations have prompted efforts to list that species, further threatening scarce water supplies.

For this reason, I strongly endorse continued funding for construction and maintenance of the temperature control device at Shasta Dam. This is a project of primary importance to north state water users. Presently the device is in the final stages of construction and will be completed by the fall of this year. Once completed, it will improve control of temperature, turbidity and dissolved oxygen within the Sacramento River, thereby improving fishery habitat necessary to healthy salmon and steelhead runs This will, in turn, help ensure adequate water delivery for all users within the system The device will also maintain existing power generating capability and reservoir release patterns at Shasta Dam. I urge the committee to fully fund this project at the level requested by the Commission.

Another project of great importance to water users in the north state, and one which complements the temperature control device at Shasta Dam, is the renovation of the Coleman National Fish Hatchery. The hatchery was built in 1942 to mitigate damages to salmon spawning areas in the Sacramento River system caused by the construction of Shasta and Keswick Dams. The hatchery is vital to maintaining healthy salmon populations in the Sacramento River and, over the years, has been a critical link in the overall water use plan in northern California. Continuing this central role, however, requires reinvestment in updated equipment and technology.

Improvements to the hatchery, scheduled to be phased in over a number of years, will provide a disease-free water supply, pollution abatement facilities, adequate storage for frozen and dry food, reconstruction of fish ladders, and a number of other improvements needed to enable the facility to function at peak efficiency. Because of the importance of the Coleman Hatchery to the overall water delivery plan for the Sacramento River system, I urge the committee to fully fund the proposed modifications at the levels recommended by the Commission.

Another project that I strongly endorse is the Trinity River Restoration Program. This habitat mitigation project is instrumental in maintaining healthy salmon populations within the Trinity River, thereby ensuring an adequate supply of water for a variety of users who are dependent upon the Trinity River system. The Trinity River Restoration Project has been instrumental in protecting anadromous salmon runs within the Trinity River System. For over ten years, county, tribal and federal authorities have worked closely with stake holders along the river to restore habitat and provide suitable spawning areas for salmon. Later this year a comprehensive stream flow study will be completed recommending long-term remediation alternatives within the system. Continued funding for the restoration program is essential to fully implement the recommendations of this study.

I wish to express special thanks to my good friend and colleague, Frank Riggs, for his tireless efforts to ensure that this project receives full consideration not only from this committee, but also from the House Resources Committee. Last year, Representative Riggs and I introduced legislation that would extend the authorization of the Trinity River Program for an additional three years. This bill has been passed by the House and is now moving quickly through the Senate. I am fully confident that it will be signed into law at some point in the near future. Given the broad support of this legislation by the Administration and members on both sides of the aisle, I urge the committee to fully fund the restoration project at the level provided in the reauthorization bill.

Turning to the energy side of my testimony, I wish to draw the attention of the committee to an important project that has begun in the towns of Gridley and Biggs on the boarder of my and Mr. Fazio's districts. In 1994 and 1995 this committee endorsed the building of a cost-share biomass facility for converting rice straw to electricity and ethanol. I urge the committee to continue its support of this worthwhile endeavor.

The facility planned will be large enough to consume rice straw from 80,000 acres, or approximately 20 percent of California's rice straw. This is significant in view of the mandate currently in force in the state to end open field rice straw burning by the year 2,000. In addition, the plant will produce approximately 20 million gallons of ethanol and generate 12.5 megawatts of electricity annually. This presents a win-win proposition which both addresses the need to dispose of rice straw in an environmentally sensible way and the need to provide a reliable future source of electricity to the Gridley/Biggs region.

In conclusion, I wish to thank the committee again for its continued responsiveness to the water and energy needs of northern California. I encourage the committee to give full consideration to these recommendations as we work together to craft the 1997 bill. Thank you.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. ROBERT K. DORNAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. We now turn to our friend and colleague, Bob Dornan.

Mr. DORNAN. Thank you, Mr. Chairman, again. It is a pleasure to appear before the happiest and friendliest subcommittee on Capitol Hill.

Mr. MYERS. How much do you want?

Mr. DORNAN. I want to add to some earlier remarks about what a passing right it is for our Chairman and the former Chairman to move on to phase three of the seven phases in life. So a long way to go.

Mr. MYERS. You think we have four left, really?

Mr. DORNAN. I picture you, Mr. Chairman, on your tractor in Indiana, maybe being on a radio show, as you told me once, talking about leaders in Washington, and your friend from next door coming up, and you are covered in grease to your elbows, and he says, hey, does this guy Dornan know about you, Congressman John?

And the prior Chairman, Ranking Minority Member, I think of Lieutenant Tom Bevill backing up the Normandy invasion, and within a year here was a teenager running a German prisoner of war camp as the commander. Teenaged Lieutenant John Myers. So it is a passing right.

And may President Bob Dole——

Mr. MYERS. You are giving away my age now, Bob.

Mr. DORNAN. I said "teenager." That goes down to 13.

President Dole, if lightning doesn't strike me and President Dole gets in there, he'll offer the two of you, you and Tom, anything you want on the cabinet.

I just am going to underscore a couple of things that Chris said. I was over in Bosnia on the weekend and General Nash, the commander of the First Armored Division, brought up that the Santa Ana River was hit with a 100-year flood. And as an Orange County Member, I immediately started thinking of what Chris mentioned, 1862 and 1938. Thank you for supporting down over the years the Santa Ana River project, and I know you will continue to support it.

Chris mentioned that figure of 3 thousand people dead, and I know Vic Fazio was touched years ago when I mentioned Disneyland underwater and Mickey and Mini.

Mr. FAZIO. Knott's Berry Farm.

Mr. DORNAN. Knott's Berry Farm, Snoopy, all of them being rescued by Coast Guard helicopters. A horrible, horrible, horrible sight. So keep that money coming into the Santa Ana River project.

I want to thank Bill Zaun, the Director of Public Works for Orange County's Environmental Management Agency. He is here. And also, Don Martinson, Director of the Santa Ana River flood control agency. And I think Supervisor Jim Silva is here, the best supervisor west of the Mississippi, maybe in the whole United States.

Project number two, and I don't have all these smaller ones that Chris does, but I certainly support what Mr. Cox wants, but the second one is one he also mentioned, the Orange County Regional Water Reclamation Project. I would like to express my thanks to Bob Bein of the Orange County Business Council. He is joining us here to beat up, in a friendly way, on your staff later. And in view of the increasing shortage of usable surface and groundwater, as well as the importance of finding new sources of supplies to meet the present and the future water needs of Orange County, the whole delegation, of course, strongly supports this project.

I have got some other statements on it that I will submit for the record. $600,000 is being requested for the water reclamation project. You folks do do a very tough and needed job, and as Tom Lantos said earlier, this committee does make one yearn for the collegiality and friendliness of yesteryear, but I am still having fun in the Speaker's Lobby Subcommittee and the committee hearing rooms. I only get uptight in the well, as you know, and I find a lot of collegiality, as Vic well knows, which keeps me in rein sometimes. But everywhere I find the same friendliness, and this committee is exemplary of what is best about the Congress.

[The statement of Mr. Dornan follows:]

Testimony of Rep. Robert K. Dornan

Subcommittee on Energy and Water Appropriations
Chairman John T. Myers

Wednesday, March 6, 1996

Thank you, Mr. Chairman, for the opportunity to testify on behalf of two extremely important water projects located in Orange County: the Santa Ana River Mainstem Project and the Orange County Regional Water Reclamation Project. I am requesting that the subcommittee support OMB's forthcoming recommendation for funding of the Santa Ana River Mainstem Project, as well as $600,000 for the Orange County Regional Water Reclamation Project in the FY97 Energy and Water Appropriations legislation.

Mr. Chairman, before I move further into my testimony, I would like to thank the subcommittee for its long record of support for the Santa Ana River project. I know many of you are aware of the need for this important project to be completed as soon as possible. I would also like to thank Supervisor Jim Silva for joining me today in support of the project, as well as Bill Zaun, who is the Director of Public Works for Orange County's Environmental Management Agency, and also Don Martinson, who is the Executive Director of the Santa Ana River Flood Protection Agency, for their hard work and dedication to the project.

Members of the subcommittee may be interested to know that the day before yesterday, March 4th, was the 58 year anniversary of the massive flood that consumed 110,000 acres of Orange County under 3 feet of water in 1938. If a similar flood occurred today, it is estimated that it would cause more than $15 billion in damage and kill some 3,000 people. With this in mind, I cannot underscore the importance of the Santa Ana River flood control project. It is absolutely imperative that this project be completed as quickly as possible so that the citizens of Southern California are protected against the inevitable, and I do mean inevitable, flooding of the Santa Ana River.

The Santa Ana River Mainstem project is designed to provide flood protection for residences and businesses in the Southern California communities of Orange, Riverside, and San Bernardino counties. All three counties, collectively, are working closely with the U.S. Army Corps of Engineers to design and construct the project. With an appropriation that continues the funding schedule, we can build on the success and timeliness of this venture. I would therefore respectfully request that the subcommittee continue its support for the Santa Ana River Mainstem project by appropriating an amount equal to the forthcoming recommendation of OMB in its budget request.

The second project I would like to speak about is the Orange County Regional Water Reclamation Project, of which I am requesting an appropriation of $600,000. I would also like to thank Bob Bein for joining me today to outline the significance of this particular project.

In view of the increasing shortage of usable surface and ground water, as well as the importance of finding new sources of supplies to meet the present and future water needs of Orange County, I strongly support this project. Its purpose is to produce a new, cost-effective, local water supply by recycling wastewater that is currently discharged into the ocean. By doing so, Orange County will be able to use reclaimed water to maximize the storage capabilities of the groundwater basin and therefore reduce our dependence on imported supplies. It will also allow California to allocate additional water for meeting the environmental needs of the Sacramento-San Joaquin Delta. Finally, the project will incorporate microfiltration which represents cutting-edge technology for reclaimed water treatment.

In closing, I would like to once again thank the subcommittee's utmost consideration of these important funding requests. All residents of the 46th district, including this Member of Congress, greatly appreciate your leadership in these critical areas.

Mr. MYERS. Thank you. I used to get uptight and now I get up sober.

Mr. DORNAN. You are entering phase three of the seven phases of life.

Mr. MYERS. Part of age.

Mr. RIGGS. That is the key to surviving 30 years in Congress.

Mr. MYERS. I hate to take your time, but, Bob, you mentioned the 100-year flood. I have lived on the Wabash and I have a farm by the river, and if my calculations are correct, we should not have a 100-year flood until the 22nd century. Within 6 weeks we had two 100-year floods about 2 years ago.

Mr. DORNAN. I have always made the case that God sometimes gives us back-to-back floods. So as Chris Cox said, expedite this before we get the mother of all floods.

Mr. MYERS. Thank you, Bob.

Mr. RIGGS. Thank you again for your testimony.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. ANDREA H. SEASTRAND, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. Congresswoman Andrea Seastrand.

Mrs. SEASTRAND. You said to be brief so I am going to say thank you, I appreciate you, I love you.

Help. My congressional district, located off the central coast of California, is subject to extensive amounts of siltation, so the dredging surfaces provided by the Army Corps of Engineers have been most helpful to safely navigate my district's harbors. For many years the committee has granted appropriations for Morro Bay and Santa Barbara Harbor for dredging services. Last year the committee included funds for the investigation into procuring of dredge for the city of Santa Barbara. So this year I am requesting $5,790,000 to start this acquisition.

Procurement of a dredge for Santa Barbara will allow the subcommittee to delete $1.3 million in annual O&M funding. Dredge procurement used to substitute continued O&M services has demonstrated that at least $9 million has been saved over the last 8 years in California harbors that have implemented such practices.

Lastly, I request that the subcommittee appropriate $300,000 in fiscal year 1997 in engineering and design funds in preparation for maintenance dredging in fiscal year 1998 for Morro Bay. Morro Bay is an all-weather commercial and small craft harbor that provides approximately 700 jobs and $53.5 million annually to the economy.

That concludes my request. I again thank you for holding this hearing and want to emphasize the Army Corps of Engineers' involvement and they also support these two programs.

Mr. RIGGS. Thank you for your very concise testimony.

Mr. MYERS. Thank you.

Mrs. SEASTRAND. Takes a woman to do something right.

Mr. RIGGS. Sorry you had to wait so long. Maybe dredge procurement is the wave of the future.

[The statement of Mrs. Seastrand follows:]

Statement by Representative Andrea Seastrand

before the

House Committee on Appropriations

Subcommittee on Energy and Water

March 6, 1996

I would like to thank the Chairman and members of the Subcommittee for holding today's hearings. In the interests of time and the heavy list of witnesses let me go directly to my request.

My congressional district located off the Central Coast of California is subject to extensive amounts of siltation so dredging services provided by the Army Corps of Engineers have been most helpful to safely navigate my district's harbors. For many years the Committee has granted appropriations to both Morro Bay and the Santa Barbara Harbor for dredging Services. Last year the Committee included funds for the investigation into procuring a dredge for the City of Santa Barbara. This year I request $5,790,000 to start this acquisition . Procurement of a dredge for Santa Barbara will allow the Subcommittee to delete $1.3

million in annual O&M funding. Dredge procurement used to substitute continued O&M services has demonstrated that at least $9 million has been saved over the last eight years in California harbors that have implemented such practices

Lastly, I request that the subcommittee appropriate $300,000 in Fiscal Year 1997 in engineering and design funds in preparation for maintenance dredging in Fiscal year 1998. Morro Bay is an all weather commercial and small craft harbor that provides approximately 700 jobs and $53.5 million annually to the economy.

That concludes my request. Again, I thank the Subcommittee for holding this hearing and want to finish by emphasizing the Army Corps of Engineers involvement and support of these programs.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. SONNY BONO, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. Congressman Sonny Bono.

Mr. BONO. Thank you very much, Mr. Riggs. Your tie is exceptional today.

Mr. RIGGS. Has anybody ever told you, by the way, that you look like Frank Riggs?

Mr. BONO. Yes.

Mr. FAZIO. A lot of people have told me I look like Bob Dornan.

Mr. BILBRAY. You are right, you do.

Mr. BONO. Frank Riggs is shorter than I am, but other than that—it is not possible?

Mr. MYERS. You have been worn down, Sonny.

Mr. BONO. That is what it is.

This may surprise you, but I am here to ask for some money. Palm Springs, every time you mention the words "Palm Springs," sometimes in the committee people think that Palm Springs is affluent. Just the opposite, it is not affluent; it is on the brink of survival.

We have that whole Coachella Valley that is trying to survive on an industry, and as you all know, water in California is getting to be more valuable than gold. And this problem is not going to go away. We just kind of perpetuate it, but it is going to go on and on and on and someday I don't know what we are going to do. We are going to have to do a lot more.

I have many projects. For this reason, to expedite them I am going to submit written details rather than go over all of that here. However, there is one project I would like to highlight as a top priority and that is the Salton Sea Authority, which is in our district.

The Salton Sea is California's largest lake and it is located in Riverside and Imperial Counties. It was formed this century by flood waters from a Bureau of Reclamation project and it has been plagued by salinity and flooding problems ever since.

The Salton Sea has had this problem that has been there for years and years and years. Aside from that, at times it can produce an odor throughout the entire valley that is unbelievable. So, finally, we have gotten together the Salton Sea Authority. It is in its third year, and is now trying to do something, and we have it under one organization. It was under 22. We have the projects to stabilize the salinity and the flooding problems of the Salton Sea and maximize the Sea's enormous recreational potential, and that is the important part of the Salton Sea. If we could, it could be dealt with and eventually handled and then make money for the area. So it seems like a good investment for the State. So we want to focus hard on that.

The work of the Authority is critical to ending the threat of the saltwater contamination of the Coachella Valley groundwater supply. We are getting water leaking that is going into the farming—I am trying to rush here for you so that everybody can say what they have to say—so we are trying to prevent damaging nearby farms, residences, and Highways 86 and 111.

The Salton Sea Research Project has a $10 million authorization through Title XI of the Reclamation Projects Authorization and Adjustment Act of 1992. The Bureau has requested the funding for this project in the fiscal year 1997 budget.

Since 1994, your committee has supported the Authority's work with $100,000 annually, and the State and local funds have provided the 100 percent non-Federal match.

This year, I respectfully request the support of $400,000 earmarked for the Salton Sea Authority Research Project within the Bureau of Reclamation. This funding will allow the Authority to begin with a wonderful group of people, the EIR gang, and get into that phase to progress further.

So that is what I am here for. Any assistance—I want to thank you for all the help that you have given us in the past, and I don't have to tell you what you already know, you are well aware of the problems of water in California. So anything you can do for us, I appreciate. God bless you.

Mr. MYERS. Thank you, Sonny.

Mr. RIGGS. Thank you for your testimony, Sonny.

[The statement of Mr. Bono follows:]

DETAILED APPROPRIATIONS REQUEST FOR CONGRESSMAN SONNY BONO (BY PRIORITY)

#1. SALTON SEA AUTHORITY

(Please see attached fact sheet)

- Joint powers authority of Coachella Valley Water District, Imperial Irrigation District, Imperial and Riverside Counties. Participants include State of California, federal Bureau of Reclamation, Fish and Wildlife Service, local communities.
- Supported by previous appropriations of $100,000 annually between 1994-1996
- Requesting $400,000 earmark to Salton Sea Authority Research Project (#1743) within Bureau of Reclamation for FY 1997

#2. EASTERN MUNICIPAL WATER DISTRICT RECLAIMED WATER SYSTEM PROJECT

- Unique, innovative water conservation project
- Located in western Riverside County within the 44th congressional district (Rep. Sonny Bono) and 43rd congressional district (Rep. Ken Calvert).
- $27 million provided through Bureau of Reclamation between 1992-1996.
- Supported by previous federal appropriations and the California Water Commission
- Requesting $3,887,700 as part of Bureau of Reclamation programs.

Congressman bono also fully supports the Riverside County Flood Control District projects:

- Santa Ana River Mainstream ($52 million)
- Santa Ana River at Norco Bluffs ($180,000)
- Santa Margarita River Basin ($750,000)
- Murrieta Creek ($150,000)
- Gunnerson Pond ($490,000)

THE SALTON SEA: A CALIFORNIA RESOURCE

Problems with the Sea:

- **Salinity:**
  Salinity of Sea is 43,000 ppm, compared to ocean water salinity of 35,000 ppm. Any reduction in water flowing to Sea causes rise in salinity of Sea. Water supply of Coachella and Imperial Valleys threatened by potential seepage of this high-salinity water into groundwater table.

- **Elevation/Flooding:**
  Sea's elevation has fluctuated since its creation earlier this century. In 1994 and 1995, annual elevation of Sea varied between -225.4 and -226.8 feet below sea level, damaging homes and park facilities. Re-alignment path of Highway 86 is precariously close to Sea -- literally just feet away. This also threatens existing Highway 111. *If the elevation is not controlled, surrounding communities will continue to be threatened by flooding, the salinity level will be unstable, and construction and operation of Highway 86 may be seriously jeopardized.*

Need for Solution

- Salinity threat to groundwater supply and sport fishing
- Flood threat to surrounding farms, residences and new Hwy. 86 and existing Hwy. 111
- Enormous potential recreational, economic and environmental resource for entire state (through state recreation park and wildlife refuge)

Salton Sea Authority

- **Who they are:** A joint powers authority comprised of Coachella Valley Water District, Imperial Irrigation District and Imperial and Riverside Counties. Local, state and federal participation in the SSA's funding and work.

- **Goal:**To research and develop a method to stabilize water elevation and salinity and, thereby, maximize the recreational and environmental use of the Sea to benefit the entire state.

- **Current status:** Currently preparing to begin the EIS/EIR phase in May, 1996.

Funding History

- Existing $10 million authorization through Tiltle XI of Reclamation Projects Authorization and Adjustment Act of 1992. Includes 100% non-federal match requirement.

- Prior Reclamation funding from Congress through write-in since 1994 at $100,000 annually. 100% federal match through state and local funds.

FY97 Funding Needs

- *$400,000 within Bureau of Reclamation specifically earmarked for the Salton Sea Authority.*

- Funding to be used for first year of EIR/EIS process.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. BRIAN P. BILBRAY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RIGGS. We turn last, but certainly not least, to the junior Member of the surfing caucus, Mr. Bilbray.

Mr. BILBRAY. Thank you, Mr. Chairman. It is a tough act to follow Sonny, but it is a privilege to be included among the other half of the bad boys from California.

I would like to point out that we have a couple of projects here. One happens to be the reconnaissance study for the navigation channel in San Diego Harbor. Right now there is a request for $300,000. The Transportation and Infrastructure Subcommittee on Water Resources and the Environment today, and full committee tomorrow, are expected to authorize this project.

Let me explain to you that in the homeporting, for military reasons, the Federal Government is dredging an area to bring the carriers into San Diego Harbor and to concentrate our naval facilities on the West Coast at that location. Just adjacent to where we are dredging, there is the Tenth Street commercial terminal, which not only has immense capability of being the nexus between Mexico and the Pacific Rim with the new railroad alignments going on too, but also has the capacity of being a great sealift terminal for being able to respond to military needs.

The frustration is we are this close from being able to get a ship from the deep water to the quay wall. And what this project does is look at the feasibility of finishing off that few hundred yards that will be able to make that connection.

The other project is actually one that is a spin-off from the fact that during the 1930s the Federal Government signed a treaty with Mexico to build a dam in Mexico in the Tijuana area, and with that dam the sand transport was restricted and the literal sale of the Silver Strand/Coronado/Imperial Beach along the Mexico border have been deprived of its traditional source of sand.

There was a request for $400,000, was the original request. The House-passed version included $300,000 but in conference it got lost. We would like that money reinstituted so that this issue can be addressed. The Federal Government cuts deals with the foreign governments and the local community gets impacted. I think there is some responsibility to try to mitigate it.

Let me say something that does not affect my district directly but actually affects a lot of the beaches in San Diego, which is $17 million to take the homeporting sand and to transport it and use it for usable—for recreational and property protection.

Let me just say this, Mr. Chairman. There is a lot of talk about recycling in today's society. But you listen to how many projects you heard discussed, and Mr. Riggs pointed out that we dredge sand, transport it and drop it off into deep water and throw it away. And maybe because I am half of the surfing caucus and I was a member of the Council of Governments it just infuriated me as somebody who grew up on the beach and watched the beach erosion. The Federal Government is part and parcel to assist them. It is easier to dump your sand offshore than to reuse it. So what we have done is develop a system of prepermitting so that the sand instead of being transported offshore is actually brought into the beaches, dumped right off the surf zone, and the beaches cleanse themselves.

So I would strongly urge that you consider the fact from now on that when you hear of these dredging projects, you say, where is the sand going to go, has it been tested as suitable, and if it is suitable for a beach, you not only have a right but you have a responsibility to make sure that resource is utilized appropriately, and that means putting it back on the beaches where it can protect properties and help the recreational and economic stimulus.

I want to say in closing that as somebody who has been involved in clean air, there are two things that are important. One item was the energy fusion system. I think a lot of people talk about fuel cells and they forget the fact that it takes a lot of electricity to produce the hydrogen that is going to be the fuel for our great technology. We are looking at fuel cells, and right now there is nothing on the horizon except fusion that has the capability to generate the electricity. As an ex-member of the State Air Resources Board, I am very concerned that we are sort of missing the linkage between a lot of these technologies and we have to have this general view.

Mr. Chairman, the city of San Diego hopes to testify before you today about a water reclamation project that they are trying to get funding for. Let me remind you the Federal Government is mandating on the city of San Diego that they have to do this reclamation as part of their sewage treatment strategy, and we passed legislation here by an overwhelming majority to eliminate this mandate and I appreciate the support you gave me on my bill on that item but the House of Lords, the Senate is still dragging this thing out. So the fact is as long as the Federal Government has placed 24 obligations on the people of San Diego, I think we do have a responsibility to try to meet them halfway, and until such time as the House of Lords do the reasonable thing like we did here with bipartisan support, I think we have an obligation to try to help San Diego address this mandate.

Thank you very much, Mr. Chairman.

Mr. RIGGS. Thank you very much for your testimony, Brian.

Mr. MYERS. Thank you, Congressman Bilbray.

Mr. RIGGS. Very well put.

[The statement of Mr. Bilbray follows:]

BRIAN P. BILBRAY
49TH DISTRICT, CALIFORNIA

COMMERCE COMMITTEE

SUBCOMMITTEE ON
HEALTH AND ENVIRONMENT

SUBCOMMITTEE ON
COMMERCE, TRADE AND
HAZARDOUS MATERIALS

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REPRESENTATIVE BRIAN P. BILBRAY TESTIMONY BEFORE THE ENERGY AND WATER APPROPRIATIONS SUBCOMMITTEE

MARCH 6, 1996

Good morning Chairman Myers and Members of the Subcommittee. I appreciate the opportunity to testify in support of several projects located in my congressional district.

The first project I would like to discuss is a reconnaissance study to review the federal role in modifying the existing federal navigational channel at San Diego Harbor, California. The proposed modification would provide additional improvements, including deepening existing channels and providing access to existing and potential new facilities being considered by the San Diego Port District. The funding level for this request is $300,000 for Fiscal Year 1997.

Today, the Transportation and Infrastructure Water Resources and Environment Subcommittee is scheduled to pass a resolution to authorize this project. The resolution is expected to pass the full Transportation and Infrastructure Committee on Thursday, March 7, 1996. Therefore, the project is expected to be authorized for Fiscal Year 1997.

The Army Corps of Engineers is authorized to provide the existing channel depths in San Diego Harbor by the 1968 Rivers and Harbors Act. Since then, the San Diego Unified Port District has expanded its commercial shipping activities, and recent developments have necessitated increased depths to maintain San Diego's position in the maritime economy.

The U.S. Navy is currently beginning a major project to deepen the existing main navigation channel from the San Diego Harbor entrance to North Island Naval Air Station, a distance of about 6 miles. The Port Harbor maintains two marine terminals: at Tenth Avenue, an additional 1.5 miles from the terminus of the Navy dredging project, and at National City, approximately 5 miles from the Navy's project.

The minimum depth maintained in the existing channel ranges from -42 feet Mean Low Level Water (MLLW) at the harbor entrance to -35 feet near National City. The Navy will be deepening its portion of the channel to -47 feet. The Port District would like to deepen the remaining portion of the navigation channel, and the necessary access channels, to -45 feet. This deepening is necessary to accommodate the larger ships anticipated to be utilizing the marine terminals in the future.

THIS STATIONERY PRINTED ON PAPER MADE OF RECYCLED FIBERS

The Port District is conducting a number of studies to determine the feasibility of improving the port's rail and dock facilities to more efficiently accommodate cargo. The deeper channel will be needed to allow larger ships to access marine terminals. It would also expand the potential for the District to attract a wider range of cargo, which is typically carried on deeper draft vessels. These vessels are also more efficient, thus reducing adverse environmental impacts and shipping costs.

The second project I would like to address is the Silver Strand Shoreline in Imperial Beach, California. The cities along the Silver Strand have expended substantial funds to try to protect their coastal resources and adjacent developments. However, continued erosion has resulted in these areas being more vulnerable to damages from coastal storms. Imperial Beach has experienced severe damage during storms occurring during the winter of 1982-83 and more recently, January 1988, which resulted in these areas being included as part of a Federal Disaster Area Declaration.

In FY 1996, I testified in support of $400,000 for the Silver Strand project. The FY 1996 House-passed version of the Energy and Water Appropriation bill included $300,000, however, it was eliminated in Conference. The FY 1997 request is $400,000 to initiate a General Reevaluation Report for Imperial Beach. A reconnaissance report from March 1995 indicated that there is strong federal interest in a shore protection project to reduce potential storm damages to shore development in the City of Imperial Beach, California. The study indicates that the existing protective beach is severely eroded causing about 90 residential and commercial structures to be extremely vulnerable to damages from coastal storms. Damages from major storm events are expected to become more frequent as the existing beach continues to erode. Damages associated to the erosion are estimated at $8 million.

There is an existing authorized project for Imperial Beach. Construction of the project was terminated as a result of a court injunction in 1985, and the project has been deferred at the present time. Based on the reconnaissance study results, it is considered appropriate to proceed with a study of federal improvements at Imperial Beach as a General Reevaluation Report of the authorized project. The cost of this study is 100% federal funds up front but the study costs would be added, if appropriate, as part of project construction.

A third item I would like to mention is adequate funding for the Navy's Homeporting Project for beach replenishment. The $17 million needed for this important project is being sought through several different tracks. The Administration has requested that FY 1996 funding be reprogrammed for this project but, to date, no reprogramming has occurred. Although myself and other Members of the San Diego delegation will be seeking funding from the FY 1997 Military Construction Appropriations bill, the Energy and Water Subcommittee's support of this project would be appreciated.

Finally, I would like to discuss Fiscal Year 1997 funding levels for the Department of Energy's Fusion Energy Research program. As you know, last year's energy legislation reduced fusion funding by 40%, and required the DoE to establish a Fusion Energy Advisory Committee (FEAC) to reexamine both domestic and international fusion efforts, and make recommendations regarding future funding levels. The FEAC recently completed its task and reported its recommendations to the DoE consisting of the establishment of three distinct policy goals of a restructured fusion energy program. These goals are to advance plasma research in pursuit of national science and technology goals, develop fusion science, technology, and plasma containment innovations as the central theme of a domestic program, and to continue to pursue energy science and technology as a partner in the international effort.

FEAC recommended that to achieve these goals, a long term commitment to funding at the $275 million level would be required. I understand the pressures this subcommittee faces in meeting its budget target, and recognize that this funding request is larger than last years levels, however, this request is still $95 million less than FY 1995. At this point, I would like to ask for unanimous consent to enter into the record a copy of a letter recently sent to Secretary of Energy Hazel O'Leary and the Assistant to the President for Science and Technology John H. Gibbons. This letter is signed by 49 of my colleagues in support of the FEAC recommended funding level.

Thank you again, Chairman Myers and Members of the Subcommittee for the opportunity to testify before you today on these vital projects for San Diego, California and the science community at large.

Congress of the United States
House of Representatives
Washington, DC 20515

February 15, 1996

The Honorable John H. Gibbons
Assistant to the President for
Science and Technology
Office of Science and Technology Policy
Old Executive Office Building
17th St and Pennsylvania Ave NW
Washington, DC 20500

The Honorable Hazel O'Leary
Secretary of Energy
Forrestal Building
1000 Independence Ave SW
Washington, DC 20585

Dear Secretary O'Leary and Dr. Gibbons:

We are writing to express our support for a strong U.S. program in fusion energy science and technology. Specifically, we encourage the Administration to submit to Congress a recommendation of at least $275 million for the Department of Energy's fusion energy program in the Fiscal Year 1997 budget.

As you know, the Department of Energy's Fusion Advisory Committee (FEAC) has recently completed a re-examination of the fusion program. The FEAC finds that cuts in the FY 1996 fusion budget effectively end U.S. leadership in this field at a time when there is tremendous progress and opportunity in fusion energy research. The report recommends that, by restructuring the Department of Energy's fusion program and providing a modest increase over the FY 1996 level, we can maintain our research strengths and thereby ensure our nation's active participation in international fusion energy development.

The FEAC report sets three policy goals for restructuring the fusion energy program which we believe Congress will support. These goals are to advance plasma science in pursuit of national science and technology goals; to develop fusion science, technology and plasma containment innovations as the central theme of the domestic program; and to pursue energy science and technology as a partner in the international effort.

Although we are all painfully aware of the severe budgetary constraints facing our nation, we must work to ensure that the U.S. fusion program is not reduced too deeply at a time when the fusion programs of other nations are growing and progress in fusion science and technology is accelerating. The U.S. must maintain a vital and competitive presence in this most fundamental area of science and this most promising energy technology.

Finally, we want to be clear that it is not our intent that other basic energy and science programs at the Department of Energy be deprived of funding to ensure necessary funding for the fusion program. Perceived competition for funding between science programs can only hurt the strength of U.S. science and technology initiatives.

Thank you for your consideration. We look forward to the Administration's strong support of a restructured fusion energy sciences program.

Sincerely,

Roscoe G. Bartlett, MC

Tim Roemer, MC

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Secretary Hazel O'Leary

Randy "Duke" Cunningham, MC

Brian P. Bilbray

Brian P. Bilbray, MC

Jim Chapman

Jim Chapman, MC

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Michael F. Doyle, MC

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Jim McDermott

Jim McDermott, MC

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Jerry Lewis

Jerry Lewis, MC

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Bob Filner
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Julian C Dixon
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Marge Roukema, MC

Robert T. Matsui
Robert T. Matsui, MC

Steny H. Hoyer, MC

Joe Kennedy
Joseph P. Kennedy II, MC

Joe Moakley
John Joseph Moakley, MC

Sherry Boehlert
Sherwood L. Boehlert, MC

CC: Alice Rivlin, Director, Office of Management and Budget
Leon Panetta, Chief of Staff, President of the United States

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

HON. FORTNEY PETE STARK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

[The statement of Mr. Stark follows:]

FORTNEY PETE STARK
THIRTEENTH DISTRICT, CALIFORNIA

COMMITTEES:
WAYS AND MEANS
JOINT ECONOMIC

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

STATEMENT OF CONGRESSMAN PETE STARK

IN SUPPORT OF SANTA CLARA COUNTY'S PRIORITY FLOOD CONTROL PROJECTS

MARCH 6TH, 1996

Almost a year ago today, Santa Clara County faced the most extensive flooding the area has seen in the last four decades. 200 to 300 houses and buildings in San Jose were damaged by the flooding, and losses were estimated at more than $5 million.

These areas will remain vulnerable until critical flood control projects and studies are completed on the Guadalupe River, the Coyote/Berryessa Creeks, the Upper Guadalupe River and the Upper Pennitenica Creek. Today, some of my colleagues from the San Francisco Bay Area and representatives from the Santa Clara County Water District will speak before the Subcommittee about the importance of fully funding these four projects within the Energy and Water Appropriations bill for fiscal year 1997. Let me stress that I am in complete agreement. The continued funding of these four flood control projects is essential to the health and safety of the residents of Santa Clara County. The Subcommittee has been a huge help in appropriating funds to the projects in the past. I hope their support can continue in fiscal year 1997.

For the Guadalupe River Project, $12.5 million is requested to continue essential construction work critically needed to protect the metropolitan areas of San Jose and Alviso from flooding. For the Coyote/Berryessa Creeks Projects, $2.4 million is requested to complete the critical work being done on Coyote Creek and to complete the preparation and design work for Berryessa Creek. Additionally, in response to the high flood risk both the Upper Guadalupe River and the Upper Pennitencia Creek present to the communities in Santa Clara County, $580,000 has been requested to complete the feasibility study for the Upper Guadalupe River Project and $665,000 to initiate a similar study for the Upper Pennitenica Creek Project.

Funding for the Guadalupe River Project, the Coyote/Berryessa Creeks Projects and the Upper Guadalupe River feasibility study are included in the Administration's budget for fiscal year 1997.

Again, let me stress how important these key flood control projects are to the health and safety of the residents of Santa Clara County. The flooding that ravaged Santa Clara County last March can and will happen until these flood control projects are completed and in place. I would like to thank the Subcommittee for the strong support they have given our flood control requests over the years and hope they can do the same in fiscal year 1997.

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WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESSES

HON. RANDY "DUKE" CUNNINGHAM, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

HON. WILLIAM THOMAS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

[The statement of Mr. Cunningham follows:]

RANDY "DUKE" CUNNINGHAM
51ST DISTRICT CALIFORNIA

NATIONAL SECURITY COMMITTEE
ECONOMIC AND EDUCATIONAL OPPORTUNITIES COMMITTEE
CHAIRMAN SUBCOMMITTEE ON EARLY CHILDHOOD, YOUTH, AND FAMILIES
ASSISTANT MAJORITY WHIP

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House of Repreſentatives
Washington, DC 20515-0551

Statement by Representative Randy "Duke" Cunningham
"California Day" Testimony
March 6, 1996

Mr. Chairman:

It is a pleasure to be given the opportunity today to address the members of the Appropriations Subcommittee on Energy and Water Development. I am delighted that you have taken the time to listen to the special needs and issues of concern to the residents of San Diego County. I would like to take a few moments to highlight the water projects that are underway in my congressional district.

The San Diego Area Water Reclamation Program

The San Diego Area Water Reclamation Program is an ambitious, long-term program intended to reduce regional reliance on imported water supplies. In fact, approximately 98% of San Diego's current water supply is imported from surrounding areas. Therefore, I am pleased that the cities of San Diego, Escondido, and Poway have joined together to produce a water reclamation project that will most efficiently utilize existing and planned water reclamation facilities and resources.

When the Program is completed it will add up to 25 billion gallons annually to the San Diego region's local water supply. An area of more than 700 square miles will be served, providing enormous economic and environmental benefits to the entire area.

The capital cost of the San Diego Area Water Reclamation Program is approximately $679 million. Projected cumulative expenditures through FY97 total $168 million. These capital costs make the Program a heavy financial burden on local agencies. While parts of the project receive low-interest loans, the bulk of the costs will be charged to local ratepayers. Therefore, I am not convinced that the project can be financed solely with local capital resources. Realistically, I believe that federal funds must be provided to ensure for the proper construction of the water project and its accompanying benefits.

The overwhelming support at the local level has convinced me that cost sharing projects can work to complete much needed national programs. Perhaps the success in funding efforts in my district could set a standard for other states whose local municipalities are less inclined to share the burden in an effort to complete a program of benefit to its state and its citizens. I was encouraged that the City of San Diego has budgeted millions of dollars for the Reclamation Program to become a reality.

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Escondido Regional Water Reclamation Program

The City of Escondido has received Bureau of Reclamation funding for its water reclamation program for the last three fiscal years. In FY94, the Escondido Water Reclamation Program received $400,000; in FY95, as part of the larger San Diego Water Reclamation Program, Escondido received a total of $1.355 million. In FY96, as part of the larger Program, they will be funded at $1 million, and have received $465,000 thus far.

I believe that additional funds should be allocated for the Escondido Water Reclamation Program. It is the final recommendation of the California Water Commission that $18 million be allocated for FY97 appropriations. I trust the recommendation of the California Water Commission and believe that they are committed to the completion of cost-effective water programs.

Improvements to the Reclamation Program include two major projects. One is construction of an 18-million-gallon-per-day water reclamation facility at Escondido's existing secondary treatment facility, the Hale Avenue Resource Recovery Facility. The other is the construction of a distribution system to deliver 1 billion gallons of reclaimed water annually to over 50 users in Escondido. These users will include schools, parks, and flower and plant nurseries to name a few.

It is also important to note that the City of San Diego is undertaking a regional water reclamation program which will ultimately provide over 8.6 billion gallons of reclaimed water annually to its users. Four new water reclamation plants (one in northern San Diego, one in central San Diego, and two in southern San Diego near the border with Mexico) will be included in the new regional reclamation program. I am encouraged that the water reclamation facilities will service commercial, industrial, and residential customers through a complex distribution network, including about 125 miles of pipeline. The construction of the regional water facilities will not only provide initial labor for area residents, but will provide for additional high-paying, high-skilled jobs to properly maintain and operate the water reclamation sites. It is also important to understand that the development of a reliable local water supply will improve the long-term vitality of the San Diego economy, and strengthen the region's ability to attract and preserve employers and jobs.

The total estimated cost of the San Diego Regional Reclamation Program in 1996 dollars is $679 million. While the City of San Diego has budgeted for this program, their considerable efforts have fallen short of the mark. Therefore, I ask that federal funds be provided to help in the construction of this much needed project.

U.S. Navy's Homeporting Project

I would also like to bring your attention to a project that is very important to the coastal cities of San Diego County. The San Diego area beach replenishment plan developed by the San Diego Association of Governments (SANDAG) is a joint federal, state, and local project. The purpose of the Program is to supplement the U.S. Navy's Homeporting Project to restore sand to the region's badly eroded beaches. The Homeporting Project will prepare the infrastructure to accommodate a nuclear aircraft carrier at North Island Naval Air Station starting in August 1998. The dredged sand will be barged to and then deposited at strategic locations along the region's 45-mile shoreline to help replenish eroded beaches in each of San Diego County's coastal cities.

Replenishing the region's beaches and protecting its sea cliffs would preserve and enhance the quality of life in San Diego County. It would also contribute greatly to the tourism industry -- the third largest contributor to the local economy. It is anticipated that approximately 7 million cubic yards of sand will be available to complete the project. The sand must be placed directly on the beaches, rather than offshore to ensure that the beaches are indeed replenished. This year, the state of California has committed $4 million, and the local governments have contributed $10 million. I am hopeful that the project will go through with the help of federal funding.

Again, thank you, Mr. Chairman, for your attention to this matter. Today, several officials representing cities located within San Diego County, and the state of California will testify on behalf of these meritorious programs. I urge the Committee to consider their testimony, as you have been kind enough to consider mine.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA PROJECTS

WITNESS

AUDREY Z. TENNIS, CHAIR, CALIFORNIA WATER COMMISSION, CO-CHAIR, FEDERAL APPROPRIATIONS COMMITTEE

Mr. RIGGS. At this point, Mr. Chairman and Mr. Fazio, I want to call forward the representatives of the California Water Commission, led by Audrey Tennis.

Audrey, nice to have you back.

Ms. TENNIS. Thank you. Good morning.

Mr. RIGGS. I am going to pass the gavel to the Chairman for a moment and step out of the room, but we want to keep our hearing going so I will return very shortly.

Ms. TENNIS. Good morning, Mr. Chairman and members of the committee, Vic Fazio and other Californians. My name is Audrey Tennis. For you, Mr. Myers, I want you to know I am a farmer too in northern California.

Mr. MYERS [presiding]. That simplifies everything.

Ms. TENNIS. Right. But I am also a co-chair of the Federal Appropriations Committee of the California Water Commission and present with me today are Dan Kriege and Rikard Sorensen.

The Commission is charged by statute with representing the local interests before your committee. We have coordinated our presentations with those to be given by local agency representatives. On behalf of the California Water Commission, I would like to express our sincere thanks for all the help you have given us over the years in flood control, fisheries, and other projects. I am privileged to submit to you the official recommendations of the State of California for fiscal year 1997.

The Commission would like you to know it supports projects as shown on the document attached to the written Commission statement submitted to you. That document entitled California Water Commission: Final Recommendations for Fiscal Year 1997, Federal Appropriations for California Water, Fishery and Flood Control Projects, contains the recommendations adopted by the Commission at its March 1, 1996, meeting.

We have prepared our testimony with the best information we could obtain; however, it has been difficult without a detailed fiscal year 1997 President's budget, as you understand.

Mr. MYERS. We apologize for that.

Ms. TENNIS. We have done the best we can for you.

We request that the record remain open until the detailed fiscal year 1997 President's budget is available so that we can submit an amended statement with adjusted figures, depending on the dollar amounts in the President's budget for the respected projects.

Historically, the State and Federal governments have worked cooperatively on cost-sharing programs with the funding available to them. For this reason, we would like to respond to the language in the last year's committee report on the House appropriations bill which suggested that Congress would not appropriate funds for the CVPIA cost-shared programs until California contributed $20 million for the Shasta Dam temperature control device.

California has expended over $6 million on CVPIA cost-shared restoration actions, and Governor Wilson supports placing a bond measure which contains $50 million for State cost-sharing on CVPIA restoration actions before the State's voters. Furthermore, there are a number of State-Federal, programs most notably in the Bay Delta, where State's contributions on cost-shared programs are significantly in excess of Federal contributions.

In addition, the Commission would like to express its concerns to the committee regarding the competition for funding between traditional Bureau of Reclamation projects and environmental restoration actions and the large impending funding increase for USBR recycling water programs. It is important that we support funding to maintain the Bureau's existing infrastructure and to address deferred maintenance needs and to carry out environmental and fishery restoration measures associated with these projects.

While we fully support local agencies' plans to carry out water recycling programs, they are extremely expensive. We encourage the committee to consider how these programs can be funded in a manner that is equitable to the Bureau's existing infrastructure.

At this time we will proceed to the individuals who will testify on behalf of individual projects, and we have asked them to be very brief, and I remark that we want to be 30 seconds or less, and we also know that all testimony will be submitted to go into the record and thank you very much.

[The statement of Ms. Tennis follows:]

STATE OF CALIFORNIA - THE RESOURCES AGENCY
PETE WILSON, *Governor*

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CALIFORNIA WATER COMMISSION
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Rikard L. Sorensen - Walnut Creek
Audrey Z. Tennis - Chico

STATEMENT OF THE CALIFORNIA WATER COMMISSION

Before the
U.S. House of Representatives, Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable John Myers, Chairman

By
Audrey Z. Tennis, Chair
Federal Appropriations Committee
California Water Commission

March 6, 1996

The California Water Commission is an official agency of the State of California. It is composed of nine representative citizens from throughout the State. The Commission is charged by statute with representing State of California and local interests before your Committee. The Commission is coordinating the filing of the statements of a number of State and local agencies. On behalf of the California Water Commission, I would like to express our sincere appreciation for the support this Committee has given California water, fishery and flood control appropriations over the years. I am privileged to appear before you with the official recommendations of the State of California for Fiscal Year 1997 appropriations.

I would first like to make a few general comments:

We have prepared our testimony with the best information we could obtain; however, it has been difficult without a detailed Fiscal Year 97 President's Budget. We request that the record remain open until the detailed Fiscal Year 97 President's Budget is available so that we can submit an amended statement with adjusted figures, depending on the dollar amounts in the President's Budget for the respective projects.

Historically, the State and Federal governments have worked cooperatively on cost-shared programs with the funding available to them. For this reason, we would like to respond to the language in last year's Committee Report on the House appropriations bill which suggested that Congress would not appropriate funds for cost-shared programs until California contributed $20 million for the Shasta Dam temperature control device. California has expended over $6 million on cost-shared restoration actions, and the Governor supports placing a bond measure which contains $50 million for State cost-sharing on restoration actions before the state's voters. Furthermore, there are a number of state-federal programs -- most notably in the Bay-Delta -- where State contributions on cost-shared programs are significantly in excess of federal contributions.

The Commission would like you to to know that it supports projects as shown on the attached document entitled, *California Water Commission - Final Recommendations for Fiscal Year 1997 Federal Appropriations for California Water, Fishery and Flood Control Projects, March 1, 1996*. That document contains recommendations adopted by the Commission on March 1, 1996.

SPECIAL RECOMMENDATIONS FOR FUNDS. The Commission recommends funds be appropriated for several projects of the U.S. Army Corps of Engineers, U.S. Bureau of Reclamation and U.S. Fish and Wildlife Service, which are summarized in the following table. Brief comments on the need for the funding level follow the table.

U.S. ARMY CORPS OF ENGINEERS

CWC No.	Project and County	Projected Funding Needs FY 1997	CWC Final Recommendation FY 1997	Page No.
General Investigations - Surveys				
112	Sacramento River and Tributaries Watershed Management Study	$ 400,000	$ 400,000	3
121	Sacramento-San Joaquin Delta Investigation	600,000	600,000	3
135	Arroyo Pasajero (Fresno) [Also see CWC 660A, USBR)	950,000	950,000	4
139	Tule River (Tulare)	200,000	200,000	5
Preconstruction Engineering and Design				
201	American River Watershed	3,500,000	3,500,000	5
238A	Kaweah River (Tulare)	600,000	1,300,000	6
238B	Kaweah River - Seismic	--	1,000,000	6
Construction - General				
302	Sacramento River Restoration (Glenn) [Also see CWC 622, USBR]	300,000	1,000,000	7
381	Los Angeles County Drainage Area Project	15,000,000	50,000,000	7

U.S. BUREAU OF RECLAMATION

CWC No.	Project and County		Estimated Funding Level FY 1997	CWC Final Recommendation FY 1997	Page No.
General Investigations (Mid-Pacific Region)					
541	California Water Augmentation Program		300,000	300,000	8
Construction Projects (Mid-Pacific Region) **Shasta Division**					
611	Temperature Control Device	Federal	0	0	8
	Shasta Dam	Restoration	3,470,000	3,470,000	
		NonFed	0	0	
		Total	3,470,000	3,470,000	
612	Coleman National Fish Hatchery Modification	Restoration	2,000,000	2,000,000	8
Sacramento River Division					
621	Winter-Run Chinook Salmon Captive Broodstock Program		0	400,000	9
624	Red Bluff Diversion Dam Fish Passage Program		500,000	500,000	9
626	Red Bluff Diversion Dam Demonstration Research Facility Evaluation		1,500,000	1,500,000	9
622	Hamilton City Pumping Plant Fish Facility (Glenn) (Also see CWC 302, Corps)		3,000,000	4,300,000	7
Delta Division					
646	Rock Slough Fish Screen (Contra Costa)		0	1,500,000*	9
San Luis Unit - CVP					
660A	Arroyo Pasjero Studies (Also see CWC 135 - Corps)		500,000	870,000	4
PL 102-575 Water Recycling Projects	(Lower Colorado and Mid-Pacific Regions)			(See comments)	10

U.S. ARMY CORPS OF ENGINEERS

	Project		Estimated Project Costs	Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Projected Funding Need FY 1997	CWC Preliminary Recommendation FY 1997
112	Sacramento River Watershed Management Study	Federal	2,000,000	--	800,000	--	400,000	400,000
		NonFed	1,200,000					
		Total	3,200,000					

CWC 112 - Sacramento River and Tributaries Watershed Management Study. The Sacramento River Flood Control Project, authorized by Congress in 1917, is located on the Sacramento River and tributaries in northern California. The project provides flood protection to most of the metropolitan areas located in the greater Sacramento Valley, including the State capital in Sacramento. Over the years, society's values, uses, restrictions, and demands on the flood control project and rivers encompassed by the Project have changed significantly. Today, society is demanding not only protection from flooding, but also recreational opportunities, enhancement of the environment and ecosystem, and economic growth of local communities. To meet these and other needs along the river, individual and separate activities are using the same base assumption, which is to develop their specific project or program around the flood control project, as it presently exists. This base assumption with a fact that some activities are perceived as conflicting or competing has placed a number of activities along the river at impasse.

This creates a need to develop and implement a comprehensive management plan that considers flood control project modification or reconfiguration and would assist in coordinating all the activities related to flood control. This plan would help assure continued viability of the Sacramento River Flood Control Project and the river system for future generations. This plan would be studied and developed while existing public safety activities continue. Once the plan is ready for implementation, a transition process will occur to implement the comprehensive plan and terminate or merge existing program activities.

The study area comprises the Sacramento River and Tributaries north from Collinsville to Red Bluff and includes portions of Solano, Yolo, Sacramento, Sutter, Colusa, Butte, Glenn and Tehama Counties. The main communities are Rio Vista, Sacramento, Knights Landing, Marysville/Yuba City, Colusa and Red Bluff. The study encompasses the limits of two ongoing projects, the Sacramento River Flood Control Project and the Sacramento River Bank Protection Project, and also includes the area within the Sacramento River, Chico Landing to Red Bluff project.

CWC No	Project		Estimated Project Costs	Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Projected Funding Need FY 1997	CWC Preliminary Recommendation FY 1997
121	Sacramento-San Joaquin Delta Investigation	Federal	5,940,000	3,955,000	800,000	543,000	600,000	600,000
		NonFed	2,975,000					
		Total	8,915,000					

CWC 121 - Sacramento-San Joaquin Delta Investigation - The study area is located in Sacramento, San Joaquin and Contra Costa Counties and extends from Walnut Grove south to Tracy and from the city of Stockton west to Suisun Bay. The area within the Sacramento-San Joaquin Delta consists of about 700,000 acres of land segregated into some 100 tracts and islands, bounded by interconnecting waterways and surrounded by 1,100 miles of levees which normally prevent the lands from being inundated by high tides or high river stages. However, flood protection is inadequate for the islands and tracts within the study area. Over 140 levee failures have occurred in the Delta since 1900. About 30 of these failures have occurred since 1980. Lands within these levees are among the most productive agricultural lands in the State, and failures due to levee instability are becoming more prevalent. The major reasons for this instability are the subsidence of island interiors and poor foundation conditions of existing levees.

Also, water quality degradation occurs due to saltwater intrusion resulting from levee failures. Damages from levee failures and costs associated with maintenance work are increasing. The most recent levee failures in the study area were in February 1986, which caused damages estimated at $17 million. The purpose of the study is to determine viable improvements for flood control, salinity intrusion caused by levee failures, navigation, recreation, fish and wildlife, and long-term management of the complex island/waterway network in the Delta. The State of California, the local sponsor, signed the Feasibility Cost Sharing Agreement in August 1991. The State and the Corps are conducting the cost-shared special study with the goal of producing a regional planning report for flood control, environmental, restoration and navigation.

CWC No.	Project	Estimated Project Costs		Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Projected Funding Need FY 1997	CWC Preliminary Recommendation FY 1997
135	San Joaquin River Basin,	Federal	3,665,000	1,577,000	700,000	519,000	950,000	950,000
Corps	Arroyo Pasajero (Fresno)	NonFed	2,800,000					
	(Also see CWC 660A - USBR)	Total	6,465,000					
660A	Arroyo Pasajero Studies	USBR	1,151,000	236,000	225,000	225,000	500,000	870,000
USBR	(Also see CWC 135 - Corps)	Corps						
		NonFed						
		Total	4,666,000					

CWC 135 (Corps) - Arroyo Pasajero. In the 1960s, in cooperation with the California Department of Water Resources (DWR), the U.S. Bureau of Reclamation (USBR) designed and constructed a 100-mile-long reach of the California Aqueduct called the San Luis Canal to convey municipal and agricultural water to California water users. The San Luis Canal is part of the "joint-use facilities" along the westside of the San Joaquin Valley, which are operated by DWR. Design, construction, operation and maintenance costs for this project are shared (DWR 55% and USBR 45%).

The Canal crosses an alluvial fan deposited from a natural drainage channel called Arroyo Pasajero. By original design, these flows were to be temporarily stored in a ponding basin upstream on the western side of the Canal and periodically discharged into the Canal through twelve inlet gates when necessary. Provisions were made also to pass runoff beneath the Canal to the east side through a gated evacuation culvert. Operational experience shows that floodflow volume and sediment load are much greater and more threatening to the Canal than designers had originally anticipated. Revised hydrology calculations now show that Arroyo floodflows present a significant threat to Aqueduct integrity, and could result in a canal failure, disrupting the water supply to millions of people in Southern California and to agricultural water supply to the southern San Joaquin Valley. Asbestos content of the sediment is an additional serious concern.

Severe flooding was experienced at the Arroyo during the winter of 1994-95. On March 10, 1995 a section of Interstate 5 collapsed when floodflows raced down the Arroyo. Seven people lost their lives and there was significant property damage. Flood damage claims filed by adjoining private landowners against USBR and DWR have exceeded $10 million from this one flood season alone. Damage to canal lining from the flooding was repaired under an emergency construction contract, and aqueduct facilities were unavailable for water service until the repairs were made. Arroyo flooding also closed Highway 269, isolating the community of Huron. DWR is taking the lead in a multi-agency group formed as a result of this most recent flooding to investigate the solutions to the various problems in this area, and develop broad-based support for the implementation of flood control measures on the Arroyo Pasajero and neighboring streams.

CWC 660A (USBR) - Arroyo Pasajero - The USBR participation in DWR's Arroyo Pasajero program, pursuant to the JOA, includes three basic categories of study. These are Arroyo Pasajero Joint Corps/DWR feasibility study, Westside Streams drainage studies (all Diablo Range cross-drainage except Arroyo Pasajero), and ongoing data gathering and flood control planning for the Arroyo Pasajero which is not contractually part of the Corps study. The USBR continues as a 45% cost sharing partner to DWR on the Corps Arroyo Pasajero feasibility study.

CWC No.	Project		Estimated Project Costs	Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Projected Funding Need FY 1997	CWC Preliminary Recommendation FY 1997
139	San Joaquin River Basin, Tule River	Federal	1,444,000	844,000	200,000	148,000	200,000	200,000
		NonFed	1,129,000					
		Total	2,573,000					

CWC 139 - Tule River. Success Dam and Lake, on the Tule River, is located in the southern San Joaquin Valley, about 6 miles east of the town of Porterville. Success Dam, authorized by the Flood Control Act of 1944, was constructed by the Corps and is operated for flood control and storage of irrigation water. The project consists of a 142-foot high, earthfill dam, creating a reservoir with a storage capacity of 85,000 acre-feet.

Feasibility studies investigated raising and widening the spillway by 10-feet and 100-feet, respectively, to increase storage by 28,000 acre-feet for flood control and irrigation water supply. Based on feasibility studies completed to date and 1983 Dam Safety Assurance Program evaluation, the proposed enlargement of Success Dam would require a seismic stability buttress added to the upstream face of the dam, which results in an economically infeasible study. The local sponsor believes the 10-foot rise in the gross pool will not affect the safety of the structure. In May 1992, the Corps and local sponsor agreed to issue an interim report and suspend the Tule River feasibility studies pending further seismic analyses of the dam. A technical review conference was held in June 1992 which resulted in the initiation of a post-earthquake stability analysis to verify dam safety conditions. This analysis is scheduled for completion in June 1996.

A meeting between the local sponsor and the District Corps staff regarding an amendment of the Feasibility Cost Sharing Agreement was conducted on January 12 and 13, 1995. During that meeting the Corps District staff agreed to obtain clarification of the need for the extensive rewrite of the 1992 Interim Report and particularly the need for risk-based analysis, reformulation of alternative plans of enlargement for selection of a National Economic Development plan (federally recommended plan), additional detailed economic studies, Micro-Computer Aided Cost Estimating System cost estimate and determination of the environmental impacts and mitigation of only the area of reservoir enlargement instead of the entire Tule River downstream service area.

	Project		Estimated Project Costs	Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Projected Funding Need FY 1997	CWC Preliminary Recommendation FY 1997
201	American River Watershed	Federal	19,200,000	12,742,000	3,000,000	2,223,000	3,500,000	3,500,000
		NonFed	0					
		Total	19,200,000					

CWC 201 - American River Watershed. The Reclamation Board and Sacramento Area Flood Control Agency are seeking federal authorization of a Flood Detention Dam near Auburn to protect Sacramento from a devastating flood from the American River.

When Folsom Dam was constructed by the U.S. Army Corps of Engineers in the 1950s, it was believed to provide approximately 250-year flood protection for the Sacramento area. Just ten years ago, rainstorms in the watershed almost caused a flood of disastrous proportions. The 1986 storm, in conjunction with other large storms which had occurred over the previous 25 years, changed the hydrologic understanding of the basin. Reevaluations of hydrologic conditions within the watershed have now documented that Folsom Reservoir and the downstream levee system provide only an 80-year level of flood protection.

Catastrophic loss of life and billions in property damage in the Sacramento area would result from American River levee failure. The area lying below the levees covers over 100,000 acres and consists of more than 160,000 homes and structures, 400,000 residents and $37 billion in developed property. If floodflows in the American River were to overtop a levee in the Sacramento area, the results would be devastating. Economic damage estimates range from $7 to $16 billion, with depths of flooding up to 20 feet.

The realization of the high flood risk and the disastrous consequences of a levee failure prompted local, State and federal agencies to study the problem and to make plans to significantly increase Sacramento's level of flood protection. Following the February 1986 floods, a series of studies was conducted by the Corps of Engineers, in cooperation with the Board and SAFCA. They were designed to define the flood risks to the Sacramento area, identify potential flood control measures, describe the most feasible ones in detail, and define and present a flood control plan for the area.

The study sequence included a review of hydrologic data (1987), a Feasibility Study (1988-1991), and a Supplemental Information Report (1992-1996). The SIR was prepared to answer questions raised by Congress during the 1992 authorization process, and reflects information and comments from extensive review by both the public and government agencies.

The Corps' economic analyses show that the Detention Dam Plan yields the maximum net economic benefit of all alternatives. It consequently was designated by the Corps as the National Economic Development plan. The nonfederal cost-sharing sponsors (the SAFCA Board and The Reclamation Board) have likewise identified the Detention Dam Plan as the locally preferred plan, because:

- The Detention Dam Plan significantly reduces the flood risk in Sacramento to a level commensurate with other large cities such as St. Louis and Kansas City.
- It is the most cost effective and provides the highest level of economic benefit;
- It can pass the Standard Project Flood (recognized as the standard for protection of urban areas, approximately a 225-year event on the American River) with about 95 percent reliability.
- It provides a high level of protection without additional dependence on the levee system, and thus is considered the safest and most reliable of the three alternatives.

The local sponsors are seeking federal authorization of the Detention Dam Plan in the Water Resources Development Act of 1996 with possible inclusion in the President's 1997 budget. The Director of the Department of Water Resources has indicated State support for the project before the congressional Subcommittee on Transportation and Infrastructure on February 28, 1996.

CWC No	Project		Estimated Project Costs	Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Projected Funding Need FY 1997	CWC Preliminary Recommendation FY 1997
238A	Kaweah River (Tulare)	Federal	3,900,000	0	500,000	148,000	600,000	1,300,000
		NonFed	0					
		Total	3,900,000					
238B	Kaweah River (Seismic)							1,000,000

CWC 238 - Kaweah River - Terminus Dam was authorized by the 1944 Flood Control Act and was constructed by the U.S. Army Corps of Engineers in 1962. The 150,000 acre-feet project was designed to provide a 60-year level of flood protection downstream of the dam. However, revised hydrologic information shows that the existing project provides only about a 46-year level of protection.

Flooding downstream of the dam occurs when flows from individual creeks blend together and form sheet flow through urban and agricultural areas. Included in the flooded area are the communities of Visalia, Farmersville, Tulare, Ivanhoe, and Goshen. Since construction of Terminus Dam, damaging floods have occurred in many years, including 1966, 1969, 1978, 1980, 1982, 1983, and 1986. Downstream communities and areas adjacent to the flood plain are at risk of future flooding.

Initially, a variety of alternatives was evaluated, including alternative storage sites, detention basins, construction alternatives, and nonstructural measures. Based on technical, economic, and environmental criteria, the only feasible alternative is to raise the spillway 21 feet. All the other alternatives were eliminated because (1) they failed to meet the project flood control or water supply goals, (2) the costs exceeded the benefits, or (3) the associated environmental impacts were excessive.

The Corps' recommended project alternative (NED Plan) includes raising the elevation of the existing Terminus Dam spillway from 694 feet mean sea level (M.S.L.) to 715 feet M.S.L.. Reservoir storage capacity would be increased 42,600 acre-feet, and reservoir surface area from 1,913 acres to 2,156 acres. The existing spillway would also be widened from 307 to 455 feet in order to avoid raising the crest of the dam at the increased gross pool level.

CWC No.	Project		Estimated Project Costs	Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Projected Funding Need FY 1997	CWC Preliminary Recommendation FY 1997
302	Sacramento River Restoration at Glenn-Colusa Irrigation District (Glenn)	Federal	10,650,000	2,593,000	300,000	300,000	300,000	1,000,000
		NonFed	3,550,000					
		Total	14,200,000					
622	Hamilton City Pumping Plant Fish Facility (Glenn)	Federal	37,315,000	2,662,270	3,000,000	3,000,000	3,000,000	4,300,000
		NonFed	0					
		Total	37,315,000					

CWC 302 - (Corps) Sacramento River Restoration at Glenn-Colusa Irrigation District and **CWC 622 - (USBR) Hamilton City Pumping Plant Fish Facility** The Reclamation Board, Department of Fish and Game and the Glenn-Colusa Irrigation District are proceeding with cost-shared environmental documentation for the restoration of the Sacramento River hydraulic gradient and restoration or replacement of the fish screens. The Congress has provided funds and directed the Corps of Engineers to restore a portion of the river to its original configuration so that water supply and fish protection facilities can continue to operate.

An FY95 appropriation of $400,000 has allowed the Corps to participate in physical hydraulic modeling, to continue post-design activities following completion of the design report, to accomplish necessary environmental documentation of the final design, and to prepare plans and specifications for construction. It is our understanding that the Committee report accompanying the House appropriations bill directed that costs incurred for the interim screening measure be included as part of state-federal cost-sharing.

It is our understanding that the Department of Fish and Game will become the State lead agency as soon as the Draft Feasibility Study EIR/EIS is complete in 1996.

No.	Project		Estimated Project Costs	Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Projected Funding Need FY 1997	CWC Preliminary Recommendation FY 1997
381	Los Angeles County Drainage Area Project	Federal	204,000,000	10,450,000	11,367,000	10,424,000	15,000,000	50,000,000
		NonFed	108,000,000					
		Total	312,000,000					

CWC 381 - Los Angeles County Drainage Area Project. According to the prepared statement received, the LACDA Alliance, a coalition of seven cities in the Los Angeles and Rio Hondo River floodplains (Bellflower, Carson, Downey, Lakewood, Paramount, Pico Rivera and South Gate), join the County of Los Angeles in seeking funding for an accelerated construction Schedule. According to the County of Los Angeles, the LACDA Project, estimated to cost $312 million, was authorized by Congress in 1992 and received a Record of Decision to proceed from the Assistant Secretary of the Army in 1995. This is estimated to be a seven-year project.

This project will alleviate flooding by increasing the capacity of the lower Los Angeles River, Rio Hondo Channel and Compton Creek. The project will eliminate an estimated $2.3 billion in damages from a 100-year storm for over 500,000 people living in the flood plain.

The first construction contract was awarded in FFY 95. The current FFY has an estimated $10.4 million budgeted. Two construction contracts are expected to be awarded this current fiscal year. Design is underway to support expenditure of $50 million in FY 97.

U.S. BUREAU OF RECLAMATION

CWC	Project		Estimated Project Costs	Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Estimated Funding Level FY 1997	CWC Preliminary Recommendation FY 1997
541	California Water Augmentation Program	Federal	850,000	0	0	0	300,000	300,000

CWC 541 -California Water Augmentation Program - The purpose of the study would be to present opportunities for addressing California's water related resource needs by optimizing benefits from existing state and federal facilities, improving water management practices (demand reduction, water conservation, etc.) and augmenting existing supplies. A review would be conducted of CVP, SWP and related water resource projects, and State.

CWC No.	Project		Estimated Project Costs	Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Estimated Funding Level FY 1997	CWC Preliminary Recommendation FY 1997
610	**Shasta Division**							
611	Temperature Control Device - Shasta Dam	Federal	72,963,000	24,226,466	549,000	21,019,000	0	0
		Restoration	7,039,000	8,349,777	11,281,000	16,961,000	3,470,000	3,470,000
		NonFed	0	0	0	0	0	0
		Total	80,000,000		11,830,000		3,470,000	3,470,000

CWC 611 -Temperature Control Device - Shasta Dam.-A structural water temperature control device will be installed at Shasta Dam to provide better control of river temperatures to assist in recovery actions for anadromous salmonids in the Upper Sacramento River. A construction contract was awarded in November 1994. Construction activities will continue with an anticipated completion date of October 1996.

	Project		Estimated Project Costs	Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Estimated Funding Level FY 1997	CWC Preliminary Recommendation FY 1997
612	Coleman National Fish Hatchery Modification	Federal	29,358,000	0	Support	0		
		Restoration	5,335,000	4,295,803		3,133,000	2,000,000	2,000,000
		Total	34,693,000			3,133,000		

CWC 612 - Coleman National Fish Hatchery Modification supplements natural production of anadromous fish in the Upper Sacramento River basin. The Fish and Wildlife Service is currently implementing a plan to rehabilitate and expand the facility so that survival, smolt quality and release size are significantly improved. An additional objective is to provide full treatment of waters entering the hatchery system thus removing or significantly lowering potential for transmission of disease organisms to hatchery fish. This is expected to permit the removal of barriers to migratory salmon in Battle Creek and provide access to upstream spawning gravels.

Construction will continue to be accomplished in phases over several years with actual construction taking place in the spring and summer of each year in order to minimize impacts to the fall and winter spawning and rearing periods. In FY94 rehabilitation of 50-year old rearing ponds, a new primary water line for the ponds, and Phase I water treatment facilities were completed. In FY95 the Phase I water treatment facilities (ozonization) to provide up to 10,000 gallons per minute of treated water will be completed.

In FY96 U.S. Fish and Wildlife Service has agreed to set aside work on Coleman so that funding can be used for the Shasta Temperature Control Device (CWC 611). It is expected that FY97 funding for Coleman will resume.

CWC No.	Project		Estimated Project Costs	Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Estimated Funding Level FY 1997	CWC Preliminary Recommendation FY 1997
620	**Sacramento River Division**							
	Winter-Run Chinook Salmon	USBR		725,000	1,100,000	300,000	0	400,000
	Captive Broodstock Program	USFWS		750,000				
	NOAA		975,000					
	NonFed		1,114,940					
	Total	12,616,257	3,564,940					

CWC 621 - Winter-Run Chinook Salmon Captive Broodstock Program - In response to critically low levels of Winter-Run Chinook Salmon in the Sacramento River during 1991, the Winter-Run Chinook Salmon Captive Broodstock Committee was initiated. Once numbering in the hundred of thousands each year, returns had plummeted to 191 fish. In order to save this unique and important salmon stock from extinction, a wide range of State and Federal fishery agencies joined with nongovernmental commercial and recreational fishing interests, as well as interested water users and the academic research community.

As it approaches completion of the first half of its 10-year duration, the Winter-Run Chinook Salmon Captive Broodstock Program has overcome many developmental problems, has efficiently established the infrastructure necessary to continue the program at full production status, and can do so until such time as the necessity for the program no longer exists. Most importantly, this program has helped begin the recovery of this unique stock of salmon.

CWC No.	Project		Estimated Project Costs	Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Estimated Funding Level FY 1997	CWC Preliminary Recommendation FY 1997
624	RBDD Fish Passage Program	Federal	5,163,000	1,794,988	0	1,000,000	500,000	500,000
		Restoration	500,000	500,000				
		NonFed	0	0				
		Total	5,663,000					
	RBDD Demonstration Research Facility Evaluation	Federal	5,830,000	783,459	0	1,300,000	1,500,000	1,500,000
		Restoration	920,000	920,000				
		Non Fed	0	0				
		Total	6,750,000					

CWC 624 - Fish Passage Program and CWC 626 - Demonstration Research Facility Evaluation. Red Bluff Diversion Dam has been identified as one cause of a continued decline of salmon and steelhead in the Sacramento River to levels roughly 50 percent of the 1953-60 average. The continued decline of the winter-run chinook salmon has prompted its listing as an endangered species.

The Action Program began in 1983 and is a coordinated effort between the Bureau of Reclamation and State and Federal resource agencies. USBR has completed an Appraisal Study and has been evaluating alternatives identified in that study.

USBR also constructed a research pumping plant at the dam, to provide for the evaluation of impacts to fish of different types of pumps (centrifugal and Archimedes screw pumps). Extensive fishery monitoring is to be done to evaluate the pumps' performance. Although the plant is now ready to be put in service, the absence of FY 96 funding would mean that monitoring cannot be conducted.

CWC No.	Project		Estimated Project Costs	Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Estimated Funding Level FY 1997	CWC Preliminary Recommendation FY 1997
[illegible]	Rock Slough Fish Screen (Contra Costa)	Federal	5,280,000	0	80,000	80,000	[illegible]	1,500,000*

*Support, provided it be funded from Restoration or other money.

CWC 646 - Rock Slough Fish Screen. Contra Costa Water District requested that the Commission support funds for a fish screen at Rock Slough, the intake to the District's water supply. USBR is authorized to fund (federal share 75%) this project under PL 102-575, the Central Valley Project Improvement Act, Section 3406(b)(5). Completion of the screen is required by October 1998 under terms of a subsequent biological opinion issued by the U.S. Fish and Wildlife vice to CCWD as a requirement for its construction of Los Vaqueros Reservoir. The imminent completion date dictates that planning funds be made available in FY96. The Contra Costa Water District feels this is an appropriate use of the Restoration Fund and that the terms of PL 102-575 require the federal government to provide 75 percent of the total cost of the project.

CWC No.	Project		Estimated Project Costs	Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Estimated Funding Level FY 1997	CWC Preliminary Recommendation FY 1997
PL 102-575 (Mid-Pacific Region)								
901	San Francisco Area Water Reclamation Study (General Investigation)	Federal NonFed Total	3,690,000 3,690,000 7,380,000	790,000	1,500,000	2,575,000	1,500,000	1,500,000
903	San Jose Area Water Reclamation And Reuse Program (Construction)	Federal NonFed Total	32,500,000 97,500,000 130,000,000	1,715,000	9,000,000	1,505,000	2,740,000	15,000,000*
Lower Colorado Region								
1301	L.A. Area Water Reclamation and Reuse (Includes West Basin, East Valley and Terminal Island)	Federal NonFed Total	68,120,000 204,360,000 272,480,000	14,740,000	9,300,000	9,545,000		20,000,000*
1302	Orange County Regional Water Reclamation Project - Phase I	Federal NonFed Total	42,600,000 127,800,00 170,400,000	0	600,000	0		Support
1303	San Gabriel Basin Project (Includes San Gabriel Basin, Demo, Rio Hondo & San Gab Valley Wtr Recl.)	Federal NonFed Total	38,090,000 114,270,000 152,360,000	10,000,000	9,750,000	6,403,000		5,000,000*
	San Diego Area Reclamation (Includes San Diego, Escondido, Poway, Padre Dam Muni WD, Otay WD and San Diego County Water Authority)	Federal NonFed Total	172,590,000 517,770,000 690,360,000	2,875,000	9,000,000	2,692,000		18,000,000*
1305	Water Replenishment District of Southern California	Federal NonFed Total	20,305,000 22,519,000 42,824,000	–	Support	0		Support Authorization
1306	Brackish Water Reclamation Demonstration Facility (Ventura)			-	500,000	1,000,00		2,500,000
1309	Southern California Comprehensive Water Reclamation and Reuse (General Investigations Program)	Federal NonFed Total	3,000,000 3,000,000 6,000,000	828,000	750,000	750,000		750,000

* Reconsider, after detailed FY 97 President's Budget is released

RECYCLED WATER PROJECTS. Title 16 of PL 102-575 authorized the Secretary of Interior to investigate and identify opportunities for reclamation and reuse of municipal, industrial, domestic and agricultural wastewater.

The Commission would like to express its concerns to the Committee regarding the competition for funding between traditional USBR reclamation projects and environmental restoration actions and the large impending funding increase for USBR recycling programs. It is important that we support funding to maintain USBR's existing infrastructure and to address deferred maintenance needs, and to carry out environmental and fishery restoration measures associated with these projects. We are concerned that USBR's new role as a federal banker in cost-sharing in local waste water recycling programs will "break the bank" for the existing federal facilities. While we fully support local agencies' plans to carry out these programs, they are extremely expensive. We encourage thought be given as to how these programs can be funded in a manner that is equitable to USBR's existing infrastructure.

STATE OF CALIFORNIA - THE RESOURCES AGENCY
PETE WILSON, *Governor*

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CALIFORNIA WATER COMMISSION
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Final Recommendations for Fiscal Year 1997 Federal Appropriations for California Water, Fishery and Flood Control Projects

March 1, 1996

CWC No	Project		Estimated Project Costs	Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Projected Funding Need FY 1997	CWC Final Recommendation FY 1997
	U.S. ARMY CORPS OF ENGINEERS							
	General Investigations - Surveys							
100A	Lower Truckee River (Washoe County, Nevada)	Federal NonFed Total	790,000 500,000 1,290,000	236,000	--	91,000	300,000	300,000
100B	Lower Truckee River (Pyramid Lake Paiute Tribe)	Federal NonFed	1,355,000 600,000	715,000	--	218,000	300,000	300,000
101	Tehama-Hamilton City Flood Control Study (Tehama, Glenn) [Continuing Authority]			0	--	--	125,000	125,000
		Total	1,955,000					
102	Northern California Streams, Sacramento River Fish Migration (Solano, Yolo)	Federal NonFed Total	1,500,000 900,000 2,400,000	550,000	300,000	222,000	300,000	300,000
	Northern California Streams, Winters and Vicinity (Yolo)	Federal NonFed Total	781,000 240,000 1,021,000	541,000	200,000	159,000	80,000	80,000
105	Northern California Streams - Cache Creek Environmental Restoration	Federal NonFed Total	1,250,000 750,000 2,000,000	350,000	200,000	148,000	300,000	300,000
106	Northern California Streams Magpie Creek (Sacramento) [Continuing Authority]			650,000	--	--	300,000	300,000
107	Northern California Streams, Yuba River Basin	Federal NonFed Total	2,320,000 1,800,000 4,120,000	1,350,000	100,000	124,000	200,000	200,000
108	Northern California Streams Middle Creek	Federal Non Fed Total	1,500,000 900,000 2,400,000		--	222,000	450,000	450,000
112	Sacramento River Watershed Management Study	Federal NonFed Total	2,000,000 1,200,000 3,200,000	--	800,000	--	400,000	400,000
121	Sacramento-San Joaquin Delta Investigation	Federal NonFed Total	5,940,000 2,975,000 8,915,000	3,955,000	800,000	543,000	600,000	600,000
122	Sacramento-San Joaquin Delta Little Holland Tract	Federal NonFed Total	1,250,000 750,000 2,000,000	189,000	290,000	215,000	300,000	300,000
123	Sacramento-San Joaquin Delta Prospect Island (Solano)	Federal NonFed Total	875,000 525,000 1,400,000	381,000	100,000	74,000	200,000	200,000
12	Sacramento-San Joaquin Delta Western Delta Islands (Contra Costa, Sacramento)	Federal NonFed Total	1,850,000 1,200,000 3,050,000	626,000	300,000	148,000	450,000	450,000

CWC No.	Project	Estimated Project Costs		Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Projected Funding Need FY 1997	CWC Final Recommendation FY 1997
	Reservoir Flood Release Coordination - San Joaquin River			0	75,000	–	100,000	100,000
130	Friant Dam Enlargement			0	0	–	0	Affirmed
132	San Joaquin River Basin, South Sacramento County Streams	Federal NonFed Total	2,070,000 1,400,000 3,470,000	798,000	500,000	371,000	600,000	600,000
133	San Joaquin River Basin Stockton Metropolitan Area	Federal NonFed Total	1,700,000 1,200,000 3,200,000	–	800,000	296,000	550,000	550,000
135	San Joaquin River Basin, Arroyo Pasajero (Fresno) (Also see CWC 660A)	Federal NonFed Total	3,665,000 2,800,000 6,465,000	1,577,000	700,000	519,000	950,000	950,000
136	San Joaquin River Basin, Pine Flat Dam, Fish and Wildlife Habitat Restoration (Fresno)	Federal NonFed Total	2,025,000 1,500,000 3,525,000	525,000	500,000	371,000	500,000	500,000
137	San Joaquin River Basin, Caliente Creek (Kern)	Federal NonFed Total	2,944,000 1,147,000 4,091,000	2,773,000	171,000	171,000	0	Support
139	San Joaquin River Basin, Tule River	Federal NonFed Total	1,444,000 1,129,000 2,573,000	844,000	200,000	148,000	200,000	200,000
141	Napa River, Salt Marsh Restoration	Federal NonFed Total	1,125,000 675,000 1,800,000	0	–	148,000	450,000	450,000
	Russian River Environmental Restoration	Federal NonFed Total	1,125,000 675,000 1,800,000	0-	–	74,000	400,000	400,000
152	Upper Guadalupe River (Santa Clara)	Federal NonFed Total	2,974,000 2,494,000 5,028,000	1,999,000	285,000	211,000	500,000	500,000
153	Upper Penitentia Creek (Santa Clara)	Federal NonFed Total	1,415,000 1,100,000 2,515,000	300,000	300,000	222,000	650,000	650,000
171	Lower Mission Creek (Santa Barbara)	Federal NonFed Total	2,799,000 750,000 3,549,000	1,968,000	300,000	60,000	300,000	300,000
180	Central Basin Groundwater Project (Los Angeles)	Federal NonFed Total	1,875,000 1,125,000 3,000,000	750,000	375,000	278,000	400,000	400,000
181	Santa Monica Water Supply				–	–	0	Deferred
182A	Los Angeles County Drainage Water Conservation and Supply (Hansen and Lopez Dams)	Federal NonFed Total	1,270,000 1,120,000 2,390,000	400,000	400,000	296,000	400,000	400,000
182B	Los Angeles County Drainage Water Conservation and Supply (Santa Fe & Whittier Narrows Dams)	Federal NonFed Total	1,360,000 1,210,000 2,570,000	400,000	460,000	341,000	450,000	450,000
183	Water Infrastructure Study for Water System Seismic Reliability (Arcadia) PL 101-60						–	Deferred
185	San Antonio Creek (San Bernardino)	Federal NonFed Total	1,125,000 675,000 1,800,000	300,000	350,000	185,000	200,000	200,000

CWC No.	Project	Estimated Project Costs	Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Projected Funding Need FY 1997	CWC Final Recommendation FY 1997
	Mission Zanja Creek (San Bernardino) [Continuing Authority]	Federal 1,370,000 NonFed 870,000 Total 2,240,000	500,000	300,000	0	200,000	200,000
188	Whitewater River Basin (Riverside)	Federal 2,080,000 NonFed 1,655,000 Total 3,735,000	845,000	370,000	274,000	450,000	450,000
189	San Juan and Aliso Creeks	Federal 1,250,000 NonFed 750,000 Total 2,000,000	0	–	111,000	400,000	400,000
190	Imperial County Watershed	Federal 1,250,000 NonFed 750,000 Total 2,000,000	0	–	225,000	400,000	400,000
Preconstruction Engineering and Design							
201	American River Watershed	Federal 19,200,000 NonFed 0 Total 19,200,000	12,742,000	3,000,000	2,223,000	3,500,000	3,500,000
238A	Kaweah River (Tulare)	Federal 3,900,000 NonFed 0 Total 3,900,000	0	500,000	148,000	600,000	1,300,000
238B	Kaweah River -Seismic (Tulare)						1,000,000
251	San Clemente Creek	Federal 1,600,000 NonFed 0 Total 1,600,000	0	150,000	111,000	800,000	800,000
252	Napa River Flood Control Project	Federal 12,300,000 NonFed 0 Total 12,300,000	11,113,000	787,000	583,000	600,000	950,000
[illegible]	San Rafael Canal (Marin)	Federal 2,295,000 NonFed 0 Total 2,110,000	1,762,000	250,000	185,000	350,000	350,000
254	Pajaro River, Watsonville (Santa Cruz)	Federal 1,770,000 NonFed 0 Total 1,770,000	389,000	500,000	371,000	850,000	850,000
255	San Lorenzo River (Santa Cruz)	Federal 844,000 NonFed 0 Total 844,000	770,000	100,000	74,000	0	0
284	Seven Oaks and Prado Dams Water Conservation (San Bernardino, Riverside, Orange)	Federal 1,000,000 NonFed 0 Total 1,000,000			265,000	300,000	300,000
287	Norco Bluffs, Santa Ana River (Riverside)	Federal 1,000,000 NonFed 0 Total 1,000,000	–	–	–	200,000	200,000
Construction - General							
301	Upper Sacramento River Murphy Slough [1135]	Federal 3,000,000 NonFed 1,000,000 Total 4,000,000	110,000	500,000	390,000	1,500,000	1,500,000
302	Sacramento River Restoration at Glenn-Colusa Irrigation District (Glenn) (Also see CWC 622)	Federal 10,650,000 NonFed 3,550,000 Total 14,200,000	2,593,000	300,000	300,000	300,000	1,000,000
303	Sacramento River Bank Protection	Federal 159,100,000 NonFed 62,600,000 Total 221,700,000	89,772,000	3,000,000	2,751,000	6,500,000	6,500,000
304	Sacramento River Flood Control Project	Federal 79,855,000 NonFed 97,048,000 Total 176,903,000	75,535,000	100,000	92,000	6,500,000	6,500,000
	Mid-Valley Area Levee Reconstruction	Federal 25,700,000 NonFed 8,700,000	2,752,000	500,000	459,000	2,500,000	2,500,000

CWC No	Project	Estimated Project Costs		Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Projected Funding Need FY 1997	CWC Final Recommendation FY 1997
		Total	34,400,000					
306	Marysville/Yuba City Levee Reconstruction	Federal	23,600,000	4,416,000	6,000,000	5,362,000	7,000,000	7,000,000
		NonFed	7,800,000					
		Total	31,400,000					
307	Lower Sacramento Area Levee Reconstruction	Federal	3,450,000	705,800	500,000	459,000	500,000	500,000
		NonFed	1,140,000					
		Total	4,590,000					
309	West Sacramento Project	Federal	15,700,000	2,347,000	7,000,000	6,420,000	7,000,000	7,000,000
		NonFed	5,200,000					
		Total	20,900,000					
310	Yolo Basin Wetlands (Davis site) [1135]	Federal	800,000	281,000	–	469,000	50,000	50,000
311	San Joaquin River China Island Habitat Restoration	Federal	4,500,000	0	500,000	–	500,000	500,000
		NonFed	1,500,000					
		Total	6,000,000					
331	New Melones Lake (Calaveras, Tuolumne)	Federal	400,500,000	371,143,000	1,000,000	–	1,000,000	1,000,000
		NonFed	0					
		Total	400,500,000					
332	Merced County Streams	Federal	85,900,000	15,448,000	700,000	642,000	900,000	900,000
		NonFed	38,600,000					
		Total	124,500,000					
351	Wildcat and San Pablo Creeks (Contra Costa)	Federal	20,170,000	18,360,000	1,240,000	1,137,000	0	0
		NonFed	15,530,000					
		Total	35,700,000					
352	Guadalupe River (Santa Clara)	Federal	63,300,000	28,250,000	8,100,000	7,428,000	12,500,000	12,500,000
		NonFed	74,470,000					
		Total	137,770,000					
353	Coyote and Berryessa Creeks (Santa Clara)	Federal	44,000,000	15,472,000	12,000,000	11,005,000	2,400,000	2,400,000
		NonFed	38,840,000					
		Total	78,840,000					
354	Santa Paula Creek (Ventura)	Federal	20,300,000	8,497,000	4,000,000	2,109,000	5,000,000	5,000,000
		NonFed	1,600,000					
		Total	21,900,000					
381	Los Angeles County Drainage Area Project	Federal	204,000,000	10,450,000	11,367,000	10,424,000	15,000,000	50,000,000
		NonFed	108,000,000					
		Total	312,000,000					
382	Santa Ana River Mainstem	Federal	778,000,000	386,659,000	70,249,000	64,838,000	60,000,000	60,000,000
		NonFed	555,000,000					
		Total	1,333,000,000					
383	San Luis Rey River (San Diego)	Federal	54,700,000	57,700,000	0	0	5,500,000	5,500,000
		NonFed	20,400,000					
		Total	75,100,000					
New	Colusa Basin Drain Drainage System Study							200,000
New	Gunnerson Pond (Riverside)							490,000
New	Santa Margarita River - Reconnaissance Study (Riverside)							200,000
New	Murrieta Creek, Section 22, Planning Assistance (Riverside)							50,000
New	Southern California Infrastructure Restoration Study (Huntington Beach) PL 101-60							Deferred

CWC No.	Project	Estimated Project Costs		Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Estimated Funding Level FY 1997	CWC Final Recommendation FY 1997
•	**BUREAU OF RECLAMATION**							
	ral Investigations (Mid-Pacific Region)							
[illegible]	San Joaquin River Basin	Federal	1,262,500	1,141,277		0	0	Deferred
	Comprehensive Plan	Restoration	2,715,000	1,642,970	1,000,000			
		NonFed	1,600,000					
		Total	5,577,500					
531	Del Norte County/ Crescent City Wastewater Study	USBR	1,000,000	-0-	–	300,000	0	Deferred
532	Fort Bragg Reclamation Study	USBR	1,500,000	-0-	–	500,000	0	Deferred
537	General Planning Studies	Federal	Continuing	177,000	350,000	369,000	350,000	350,000
540	Technical Assistance to States	Federal	Continuing	1,755,000	140,000	131,000	125,000	125,000
541	California Water Augmentation Program	Federal	600,000	0	0	0	300,000	300,000
542	Delta Model Development Group	Federal	490,000	0	0	0	90,000	90,000
543	Friant Upper Basin Optimization Study	Federal	100,000	0	0	0	75,000	75,000
544	Middle San Joaquin River Water Reuse Study	Fed	100,000	0	0	0	60,000	60,000
545	New Melones Temperature Control Eval.	Federal	90,000	0	0	0	90,000	90,000
	Construction Projects (Mid-Pacific Region)							
600	**Trinity River Restoration Program**	Federal	307,105,903	305,802,396	5,000,000	3,767,000	5,000,000	5,000,000
610	**Shasta Division**							
611	Temperature Control Device -	Federal	72,963,000	24,226,466	549,000	21,019,000	0	0
	Shasta Dam	Restoration	7,039,000	8,349,777	11,281,000	16,961,000	3,470,000	3,470,000
		NonFed	0	0	0	0	0	0
		Total	80,000,000		11,830,000		3,470,000	3,470,000
612	Coleman National Fish	Federal	29,358,000	0	0			
	Hatchery Modification	Restoration	5,335,000	4,295,803		3,133,000	2,000,000	2,000,000
		Total	34,693,000			3,133,000		
	Anderson-Cottonwood Irrigation	Federal	16,315,000	0	200,000	200,000	0	0
	District Diversion Dam	Restoration	1,100,000				100,000	100,000
		Total	17,415,000					
614A	Restore Spawning Gravel	Federal	33,015,000	104,000				
	(Locations as needed)	Restoration	0	0	–	639,000	525,000	525,000
		NonFed	0					
614B	Riparian Habitat	Federal				0	0	0
		Restoration	2,700,000	0	–		425,000	425,000
615	Clear Creek Restoration	Federal					500,000	500,000
		Restoration		0	–	100,000	500,000	500,000
		Total	6,600,000					
620	**Sacramento River Division**							
621	Winter-Run Chinook Salmon	USBR		725,000	1,100,000	300,000	0	400,000
	Captive Broodstock Program	USFWS		750,000				
		NOAA		975,000				
		NonFed		1,114,940				
		Total	12,616,257	3,564,940				
622	Hamilton City Pumping Plant	Federal	37,315,000	2,662,270	3,000,000	3,000,000	3,000,000	4,300,000
	Fish Facility (Glenn)	NonFed	0					
	(Also see CWC 302)	Total	37,315,000					
623	Colusa Basin Drain				750,000	250,000	200,000	200,000
624	RBDD Fish Passage Program	Federal	5,163,000	1,794,988	0	1,000,000	500,000	500,000
		Restoration	500,000	500,000				
		NonFed	0	0				
		Total	5,663,000					
626	RBDD Demonstration Research	Federal	5,830,000	783,459	0	1,300,000	1,500,000	1,500,000
	Facility Evaluation	Restoration	920,000	920,000				
		Non Fed	0	0				
		Total	6,750,000					

CWC No.	Project		Estimated Project Costs	Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Estimated Funding Level FY 1997	CWC Final Recommendation FY 1997
627	Central Valley Project Improvement Act Supporting Investigations	Federal	1,700,000	0	0	0	0	0
		Restoration	3,300,000	1,584,000	1,500,000	3,098,000	1,000,000	1,000,000
		Total	5,000,000	1,584,000	1,500,000	3,098,000	1,000,000	1,000,000
629	Deer Fencing	Federal	1,443,000	737,000	–	175,000	200,000	200,000
630	Auburn-Folsom South Unit (Includes American River Study- and On-going Activities)	Fed	2,335,830,000	356,668,966	1,357,000	1,410,000	2,500,000	2,500,000
		NonFed	2,350,000	2,350,000				
		Total	2,338,180,000					
631	Stony Creek	USBR	883,000	133,000	–	100,000	0	0
640	**Delta Division**							
641	Georgiana Slough Fish Barrier	Federal	950,000	750,000	0	0	0	0
		NonFed	1,510,000					
642	Suisun Marsh Protection ($1 million included in FY96 O&M budget - CWC 701)	Federal	60,574,000	29,468,493	300,000	300,000	1,000,000	1,000,000
		NonFed	90,000,000					
		Total	151,000,000					
643	Delta Support Program (IESP)	Federal	50,467,387	21,692,391	3,200,000	3,000,000	3,500,000	3,500,000
		NonFed						
644	Bay/Delta Oversight (CalFed)	Federal	10,000,000	400,000	2,500,000	2,500,000	4,100,000	4,100,000
		NonFed	10,000,000					
645	South Delta Barriers	Federal	20,000,000	243,071	500,000	200,000	0	0
		NonFed	20,000,000	7,200,000				
646	Rock Slough Fish Screen (Contra Costa)	Federal	5,280,000	0	80,000	80,000	0	1,500,000[1]
647	Tracy Fish Facility Improvements	Federal	39,728,000	925,000	--	0	0	0
		Restoration	1,450,000					
650	**San Joaquin Division**							
651	Land Retirement	Federal	46,593,000	1,228,000	0	0	1,955,000	1,955,000
		Restoration	11,874,000	3,400,000	6,118,000	6,118,000	2,000,000	2,000,000
		Total	58,467,000		6,118,000	6,118,000	3,955,000	3,955,000
	San Joaquin Basin Action Plan (Kesterson Mitigation)	Federal	13,787,000	0	0	0	1,000,000	1,000,000
		Restoration	13,037,000	5,980,527	1,000,000	1,473,000	1,000,000	1,000,000
		Total	26,824,000	5,980,527	1,000,000	1,473,000	2,000,000	2,000,000
653	Water Acquisition	Federal	43,413,000	0	0	0	1,737,000	1,737,000
		Restoration	7,587,000	22,642,521	11,005,000	23,685,000	6,980,000	6,980,000
		Total	51,000,000	22,642,521	11,005,000	23,685,000	8,717,000	8,717,000
660	San Luis Unit - CVP							
660A	Arroyo Pasajero Studies (Also see CWC 135 - Corps)	USBR	1,151,000	236,000	225,000	225,000	500,000	870,000
		Corps						
		NonFed						
		Total	4,666,000					
660B	Arroyo Pasajero (Land Purchases)	USBR	5,158,000	4,258,000	--	0	0	0
		Corps						
		NonFed						
		Total	12,495,000					
660C	Real-Time Drainage Mgmt Init	USBR	8,007,000	5,107,000	--	200,000	800,000	800,000
660D	San Luis Drain Load Reduction Project	USBR	5,282,000	100,000	100,000	100,000	2,000,000	2,000,000
660E	Controlled River Drainage - Monitoring	USBR	32,275,000	0	275,000	275,000	600,000	600,000
660F	Controlled River Drainage - Drainwater Control Facilities	USBR	22,800,000	0	--	0	0	0
660G	Controlled River Drainage-Load Reduction	USBR	18,300	0	--	0	1,000,000	1,000,000
661	Real Time Management Demonstration				300,000	--	800,000	800,000
670	Miscellaneous Project Programs (Mid-Pacific Region)							
671	Anadromous Fish Program	Federal	12,000,000	0	0	0	0	0
		Restoration	4,570,000	3,133,316	3,000,000	3,512,000	8,000,000	8,000,000
		Total	16,570,000	3,133,316	3,000,000	3,512,000	8,000,000	8,000,000

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[1] Support, provided it be funded by Restoration or other money.

CWC No.	Project	Estimated Project Costs		Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Estimated Funding Level FY 1997	CWC Final Recommendation FY 1997
	Central Valley Assessment/ Monitoring Program	Federal	17,800,200	0	0	0	0	0
		Restoration	2,035,000	3,038,000	2,000,000	2,275,000	2,312,000	2,312,000
		NonFed			0	0	0	0
		Total	19,835,000	3,038,000	2,000,000	2,275,000	2,312,000	2,312,000
673	Flow Fluctuation	USBR	1,706,000	0	–	270,000	0	0
		Restoration		74,000		50,000	0	0
676	Dedicated Project Yield	Federal	950,000	0	0	0	0	0
		Restoration	550,000	1,405,599	375,000	1,009,000	450,000	450,000
		Total	1,500,000	1,405,599	375,000	1,009,000	450,000	450,000
677	Ecosystem Water Modeling Studies	Federal	7,600,000	0	1,900,000	0	950,000	950,000
		Restoration	1,950,000	1,769,982	0		0	0
		NonFed		0	0		0	0
		Total	9,550,000		1,900,000		950,000	950,000
679	Private Wetland Investigation	Federal	50,000	0	0			
		Restoration	1,050,000	0	500,000	1,200,000	950,000	950,000
680	Kaweah River Delta Corridor Enhancement Project	Federal	1,000,000		0	0	–	100,000
681	Ongoing Contracts/CWPSC/Melones	Federal	9,354,000	2,765,000	3,089,000	3,089,000	2,500,000	2,500,000
683	Refuge Water Supply	Federal	49,696,000	0	0	0	3,990,000	3,990,000
		Restoration	3,310,000	3,883,139	3,000,000	3,033,000	3,000,000	3,000,000
		NonFed	0	0	0	0	0	0
		Total	53,006,000	3,883,139	3,000,000	3,033,000	6,990,000	6,990,000
684	Refuge Wheeling Costs	Federal	11,300,000	0	0	0	0	0
		Restoration	2,400,000	2,449,305	1,700,000	2,110,000	2,000,000	2,000,000
		NonFed		0	0	0	0	0
		Total	13,700,000	2,449,305	1,700,000	2,110,000	2,000,000	2,000,000
685	Coho Salmon Program	Federal	150,000	150,000	0	0	0	250,000
	Spring Run Salmon Program	Federal	300,000	300,000	0	0	0	250,000
	Salmon Stamp Program	Federal	100,000	100,000	0	185,000	0	500,000
688	Fish Screen Program	Federal	27,119,000	3,882,000	6,000,000	7,197,000	3,000,000	3,000,000
		Restoration	616,951	643,956			2,000,000	2,000,000
		NonFed	0	0				
		Total	28,119,000	4,525,956				
689A	Reclamation District 108	Federal	1,100,000	450,000	650,000	620,000	0	650,000
689B	Reclamation District 1004	Federal	430,000	215,000	215,000	185,000	0	215,000
Operation and Maintenance (Mid-Pacific Region)								
701	Central Valley Project	Federal	Continuing	–	67,739,000	58,336,600	57,722,000	57,722,000
703	Reclamation Law Administration	Federal	Continuing	1,207,000	1,530,000	1,248,000	1,149,000	1,149,000
704	Land Resources Management Program	Federal	Continuing	512,000	1,254,000	685,000	1,217,000	1,217,000
705	Cachuma Project	Federal	Continuing	750,000	716,000	691,000	1,153,000	1,153,000
706	Orland Project	Federal	Continuing	330,000	601,000	562,000	570,000	570,000
707	Solano Project	Federal	Continuing	1,600,000	2,172,000	1,732,000	1,851,000	1,851,000
Loan Projects (Westwide)								
800	Small Reclamation Projects Admin.	Federal	Continuing		600,000		425,000	425,000
Loan Projects (Mid-Pacific Region)								
801	Castroville Seawater Intrusion Project (Monterey)	Federal	32,600,000		2,710,000			
		USBR funds		1,500,000	<1,500,000>	1,500,000	1,490,000	1,490,000
		Treasury Funds			<1,210,000>			
		NonFed	10,914,000					
		Total	43,514,000					
802	Salinas Valley Reclamation Project (Monterey)	Federal	20,544,000		1,980,000			
		USBR funds		1,100,000	<1,100,000>	1,100,000	1,000,000	1,000,000
		Treasury funds			<880,000>			
		NonFed	6,900,000					
		Total	27,444,000					

CWC No.	Project		Estimated Project Costs	Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Estimated Funding Level FY 1997	CWC Final Recommendation FY 1997
	02-575 (Mid-Pacific Region)							
	San Francisco Area Water Reclamation Study (General Investigation)	Federal NonFed Total	3,690,000 3,690,000 7,380,000	790,000	1,500,000	2,575,000	1,500,000	1,500,000
903	San Jose Area Water Reclamation And Reuse Program (Construction)	Federal NonFed Total	32,500,000 97,500,000 130,000,000	1,715,000	9,000,000	1,505,000	2,740,000	15,000,000[2]
General Investigations (Lower Colorado Region)								
1001	Colorado River Water Quality Improvement Feasibility Investigation (LC only) ($15,000 in CA in FY 95)	Federal	9,465,000	7,657,113	75,000	40,000		Support
1002	Environmental and Interagency Coordination Activities	Federal	Continuing	11,345,237	100,000	45,000		Support
1003	General Planning	Federal	Continuing	276,000	375,000	274,000		Support
1004	Imperial Valley Water Reclamation and Reuse Study	Federal NonFed Total	500,000 500,000 1,000,000	0	175,000	175,000		Support
1005	Investigation of Existing Projects	Federal	Continuing	358,076	50,000	29,000		Support
1007	Minor Work on Completed Projects	Federal	Continuing	380,067	55,000	39,000		Support
1008	Salton Sea Area Study	Federal NonFed Total	300,000 200,000 500,000	200,000	100,000	100,000		Support
1009	Technical Assistance to States	Federal	Continuing	1,828,918	265,000	213,000		Support
1010	Lower Owens River Environmental Study	Federal NonFed Total	300,000 300,000 600,000	0	100,000	0		Support
1[illegible]	Malibu Creek Fishery Enhancement Study	Federal NonFed Total	250,000 250,000 500,000	0	50,000	0		Support
1012	Indian Water Management Study	Federal	200,000	0	75,000	0		Support
1013	Southern California Coastal Water Supply Study	Federal NonFed Total	750,000 750,000 1,500,000	0	50,000	50,000		Support
Operations and Maintenance (Lower Colorado Region) (CWC supported the recommendations of the Colorado River Board for following O&M projects)								
1101	Parker-Davis Project ($1,066,000 in CA in FY 95)	Federal	Continuing	3,301,000	4,101,000	4,101,000		Support
1102	Yuma Area Projects ($6,613,000 in CA in FY 95)	Federal	Continuing	21,912,000	21,332,000	21,332,000		Support
Loan Projects (Lower Colorado Region)								
1201	Eastern Municipal Water District Water Facilities Plan (Riverside)	Federal USBR funds Treasury funds NonFed Total	31,100,000 13,621,400 44,721,400	22,202,422 <10,432,000> <11,770,422>	6,000,000 <2,200,000> <3,800,000>	6,000,000 <2,200,000> <3,800,000>		2,900,000
1202	Chino Basin Desalination (Santa Ana Watershed Project Authority)	Federal USBR funds Treasury funds	32,064,000	1,878,000	2,717,000 <1,100,000> <1,617,000>	2,717,000 <1,100,000> <1,617,000>		2,000,000 <1,000,000> <1,000,000>
1203	San Sevaine Creek Water Project (San Bernardino, Riverside)	Federal NonFed Total	51,976,594 30,871,816 82,848,410	–	250,000	0		Support

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[2] Reconsider, after detailed FY97 President's Budget is released.

CWC No.	Project	Estimated Project Costs	Actual Costs Through 9/30/95	CWC Final Recommendation FY 1996	Tentative Work Allowance FY 1996	Estimated Funding Level FY 1997	CWC Final Recommendation FY 1997
	Temescal Valley Project (Elsinore Valley MWD) (Riverside)	Federal 22,270,000 USBR funds Treasury funds NonFed 10,659,000 Total 32,929,000	620,000	1,397,000 <700,000> <697,000>	1,397,000 <700,000> <697,000>		2,000,000 <1,000,000> <1,000,000>
PL 102-575 (Lower Colorado Region)							
1301	L.A. Area Water Reclamation and Reuse (Includes West Basin, East Valley and Terminal Island)	Federal 68,120,000 NonFed 204,360,000 Total 272,480,000	14,740,000	9,300,000	9,545,000		20,000,000[2]
1302	Orange County Regional Water Reclamation Project - Phase I	Federal 42,600,000 NonFed 127,800,00 Total 170,400,000	0	600,000	0		Support
1303	San Gabriel Basin Project (Includes San Gabriel Basin, Demo, Rio Hondo & San Gab Valley Wtr Recl.)	Federal 38,090,000 NonFed 114,270,000 Total 152,360,000	10,000,000	9,750,000	6,403,000		5,000,000[2]
1304	San Diego Area Reclamation (Includes San Diego, Escondido, Poway, Padre Dam Muni WD, Otay WD and San Diego County Water Authority)	Federal 172,590,000 NonFed 517,770,000 Total 690,360,000	2,875,000	9,000,000	2,692,000		18,000,000[2]
1305	Water Replenishment District of Southern California	Federal 20,305,000 NonFed 22,519,000 Total 42,824,000	–	0			Support Authorization
1306	Brackish Water Reclamation Demonstration Facility (Ventura)		-	500,000	1,000,00		2,500,000
1309	Southern California Comprehensive Water Reclamation and Reuse	Federal 3,000,000 NonFed 3,000,000 (General Investigations Program) Total	828,000	750,000 6,000,000	750,000		750,000
	Alameda County Wastewater Reuse Project						Support Authorization
	San Juan Basin Groundwater Management Program		–		0		Support
New	New Melones Water Management Study						Support[3]
New	Mission Basin (Oceanside) Brackish Groundwater Desalting Research and Development Project						Support
Colorado River Salinity Control (CWC supported the recommendations of the Colorado River Board for following CRSC projects)							
1401	Colorado River Salinity Control Program (G.I.)	Federal 61,880,082	56,653,694	375,000	340,000		Support
Colorado River Basin Salinity Control Project (Construction)							
1402	Title I Division	Federal 458,835,000	399,670,264	2,300,000	2,300,000		Support
1403	Title II Division						
1403A	Grand Valley Unit (UC Only)	Federal 257,570,000	145,353,310	5,799,000	5,799,000		Support
1403B	Paradox Valley Unit (UC Only)	Federal 66,339,157	66,039,157	300,000	300,000		Support
1403C	Lower Gunnison Basin Unit (UC only)	Federal 251,852,000	24,053,424	1,231,000	301,000		Support
1404	Title II, New Format	To be determined	0	6,000,000	500,000		Support

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[2] Reconsider, after detailed FY 97 President's Budget is released.

[3] Support, provided it is new money.

Mr. FAZIO. Audrey, may I comment; your reference to the cost-sharing dispute that we have had between State and Federal Government. I know that the Commission has done a report on that issue and I hope you will place it in the record with your formal remarks.

Ms. TENNIS. We will.

Mr. FAZIO. Because I think it is important particularly when the Department of Interior comes before us that we make our side of the case available.

Ms. TENNIS. Right. We recognize the problem.

Mr. FAZIO. We apologize for the delay. There are a lot of members in our delegation and many support the reasons why all these folks are here.

Ms. TENNIS. Right.

Mr. FAZIO. But we will stay as late as we must in order to get everybody's testimony in.

Ms. TENNIS. Thank you, Mr. Fazio. We appreciate that. We will be as brief as possible.

WEDNESDAY, MARCH 6, 1996.

CENTRAL VALLEY FLOOD CONTROL PROJECTS

WITNESS

MICHAEL STEARNS, PRESIDENT, THE STATE RECLAMATION BOARD

Ms. TENNIS. Our first witness is from the State Reclamation Board, Michael Stearns.

Mr. MYERS. Their prepared text will be placed in the record.

Ms. TENNIS. We understand that. Thank you.

Mr. STEARNS. Thank you very much, Mr. Myers and Mr. Fazio. I am Mike Stearns, President of the Reclamation Board, and I greatly appreciate the opportunity to be here. I want to say the Reclamation Board's recommendations on projects in the Central Valley are in the statement which has been submitted, but I would like to mention and emphasize two projects, both of these of which Mr. Fazio has been working on probably longer than we have.

First is the Sacramento River and tributaries, watershed management plan. There is a serious need for a comprehensive approach to protect the integrity of the system and this has brought broad support and diverse support.

Second is the American River Watershed Project. Sacramento is a large metropolitan city, has 400,000 people, $40 billion in property at risk. A detention dam at Auburn will provide a high level of protection without more reliance on levees that can suddenly result in failure and loss of life and property.

Again, thank you very much for this opportunity. It is a great honor.

[The statement of Mr. Stearns follows:]

STATE OF CALIFORNIA
THE RESOURCES AGENCY
THE RECLAMATION BOARD

RECOMMENDATIONS
FEDERAL FLOOD CONTROL PROJECTS

IN THE

CALIFORNIA CENTRAL VALLEY

FISCAL YEAR 1997

Presented to

UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
Honorable John Myers, Chairman

and

UNITED STATES SENATE
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
Honorable Pete V. Domenici, Chairman

by

Michael Stearns, Member
Raymond Barsch, General Manager

March 6, 1996

THE RECLAMATION BOARD
FINAL RECOMMENDATIONS FOR
FEDERAL FLOOD CONTROL PROJECTS

1997 Summary
(In $1,000)

CORPS OF ENGINEERS' PROJECTS	Page	Board Recommends
1. General Investigations - Surveys		
A. Northern California Streams		
-- Tehama-Hamilton City Flood Control Study (Tehama, Glenn)	2	125,000*
-- Winters and Vicinity (Yolo)	2	80,000
-- Cache Creek Environmental Restoration	2	300,000
-- Yuba River Basin	3	200,000
-- Sacramento River Watershed Management Study	3	400,000
-- Colusa Basin Drain Drainage System Study	3	200,000
B. Sacramento-San Joaquin Delta		
-- Sacramento-San Joaquin Delta Investigation	4	600,000
-- South Sacramento County Streams	4	600,000
-- Western Delta Islands (Contra Costa, Sacramento)	4	450,000
C. San Joaquin River Basin		
-- Arroyo Pasajero (Fresno)	4	950,000
-- Stockton Metropolitan Area	4	550,000
II. Preconstruction Engineering and Design		
A. American River Watershed	5	3,500,000
B. Kaweah River (Tulare)	5	1,300,000
(Seismic)		1,000,000
III. Construction - General		
A. Marysville/Yuba City Levee Reconstruction	5	7,000,000
B. Merced County Streams	5	900,000
C. Sacramento River Bank Protection	5	6,500,000
D. Mid-Valley Levee Reconstruction	6	2,500,000
E. Lower Sacramento Area Levee Reconstruction	6	500,000
F. Sacramento River Flood Control	6	500,000
G. Sacramento River at Glenn-Colusa Irrigation District (Glenn)	6	1,000,000
H. Upper Sacramento River - Murphy Slough	6	1,500,000**
I. China Island Habitat Restoration	7	500,000**
J. West Sacramento	7	7,000,000
K. Yolo Basin Wetlands (Davis Site)	7	50,000**
L. Magpie Creek (Sacramento)	7	300,000*

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*The Board supports this project to be funded under the "Continuing Authorities" Program (Section 205).
**To be funded under "Project Modifications for Improvement of the Environment" Program (Section 1135).

THE RECLAMATION BOARD'S RECOMMENDATIONS

The Reclamation Board, as the State agency which furnishes required local assurances for a majority of the federal flood control projects in California's Central Valley, respectfully submits this statement of support for the following projects.

The projects described below are of particular importance to the health, safety, and well-being of Central Valley residents and are important to The Reclamation Board to see that they are started and/or kept on schedule.

I. **General Investigations - Surveys**

A. Northern California Streams

This survey, authorized in 1962, is a study of the Sacramento River and its tributaries in regard to flood control measures. The following are interim study proposals for funding in Fiscal Year 1997.

Tehama-Hamilton City Flood Control Study (Tehama, Glenn)

The study area will cover two small towns on the west bank of the Sacramento River in Tehama and Glenn Counties. The town of Tehama was flooded in 1986 and some homes were raised. In 1995, the area was flooded again, the homes that did not qualify for raising were again flooded. Hamilton City is protected by a levee that provides inadequate protection. This area received emergency sandbagging in 1986 and in 1995. The Corps will initiate a feasibility study in early calendar year 1996 under Section 205 authority.

The Board recommends continued funding under Section 205.

Winters and Vicinity (Yolo)

The study area is in southwestern Yolo County approximately 30 miles west of Sacramento. The City of Winters is located along Putah Creek and Dry Creek and is bordered to the north by Moody Slough and Chickahominy Slough. Flooding in the area is due to the inadequate flow capacity of Moody and Chickahominy Sloughs and overland flows diverted south by I-505. The 1995 floods caused approximately $2.2 million in damages including flooding of 45 residential properties. Feasibility level studies, initiated in February 1996, will include an evaluation of a levee and canal improvement project to provide at least 100-year level of flood protection to the City of Winters. The study is scheduled for completion in December 1996.

The Board recommends continued funding for feasibility study completion and initiation of preliminary engineering and design.

Cache Creek Environmental Restoration

The Cache Creek basin is about 15 miles northwest of Sacramento, California, and contains about 1,150 square miles of drainage area. The Cache Creek riparian corridor is about 107 miles long and includes the Cache Creek mainstem from the settling basin to the outlet channel of Clear Lake, North Fork Cache Creek, and Bear Creek. The riparian corridor has been severely degraded as a result of multiple activities and development along the creek. The reconnaissance report, completed in December 1995, identified three environmental restoration alternatives: (1) a riparian corridor restoration plan; (2) a riparian corridor restoration plan plus a floodway plan to provide at least 100-year flood protection to the City of Woodland and town of Yolo; (3) a multi-objective corridor management plan that includes of the previous alternatives plus long-term restoration measures to establish a perennial stream. Local government has stated its intent to cost share feasibility level studies.

The Board recommends funding to initiate the feasibility study.

Yuba River Basin

The Yuba River Basin is located approximately 60 miles north of Sacramento. The 1986 flood and the resulting levee failure made evident that flooding is a public safety issue in this area. Thus, a reconnaissance-level study of alternatives for flood control and related purposes in the Yuba River watershed was completed, and a cost-shared feasibility study was initiated.

The Board recommends funding for completion of the feasibility study and initiation of Preconstruction Engineering and Design.

Sacramento River Watershed Management Study

The Board, by Resolution No. 95-4 dated February 17, 1995, requested the Corps to initiate a new study to evaluate the full Sacramento River Flood Control Project. Working in cooperation with other federal and State agencies and public interests, this reconnaissance study will lead to a comprehensive watershed management plan that considers flood control project modification or reconfigurations and evaluates opportunities to restore environmental conditions. The plan will be coordinated and/or integrated with existing studies and activities such as the Sacramento River Bank Protection Project and the Upper Sacramento River Fisheries and Riparian Habitat Management Plan.

The Board recommends funding to initiate this study.

Colusa Basin Drain Drainage System Study

The Colusa Basin Drainage District has requested the Corps to conduct a reconnaissance study of water resource problems of the Colusa Basin Drain and tributaries located about 50 miles northwest of Sacramento. Flooding problems in the basin are due to inadequate channel capacities of the drain and tributaries causing extensive urban and agricultural damage. Also, moderately high stages in the Sacramento River prevent gravity flow from the drain to the river causing widespread flooding in the basin.

The Board recommends funding to initiate this study.

B. Sacramento-San Joaquin Delta

Sacramento-San Joaquin Delta Investigation

The study area is located in Sacramento, Yolo, San Joaquin, Contra Costa, and Solano Counties and extends from the southern limits of the City of Sacramento to Tracy, and from the City of Stockton west to Suisun Bay. The area consists of about 700,000 acres of land segregated into some 100 tracts and islands, bounded by interconnecting waterways, which are confined by 1,100 miles of levees. A critical need for levee rehabilitation throughout the Delta exists. The most recent levee failures in the study area were in February 1986, which caused damages estimated at $17 million.

The study is developing a region-wide plan for Corps involvement in the Delta that links with the planning efforts of other agencies and includes flood control, environmental restoration, and navigation.

The Board supports funding to continue this study.

South Sacramento County Streams

These streams are located in the southerly portions of the City of Sacramento and County of Sacramento. The existing flood control projects in Sacramento do not adequately address the flood issues in this rapidly developing area. Levees along Morrison Creek and tributaries provide less than a 100-year level of flood protection. The investigation also addresses the risk of flooding of the Sacramento Regional Wastewater Treatment Plant. Potential projects include a combination of channel and levee improvements and detention facilities.

The Board recommends funding to continue this study.

Western Delta Islands (Contra Costa, Sacramento)

The study area consists of Twitchell Island in the Western Delta area in Sacramento County. This island is at risk of flooding due to levee instability. Failure of this island could cause saltwater intrusion far into the Delta rendering the water unsuitable for agricultural and domestic uses and further adversely impacting existing invaluable fish and wildlife habitat. The study will emphasize both flood damage prevention and environmental restoration.

The Board recommends funding to continue this study.

C. San Joaquin River Basin

This survey, authorized in 1964, will investigate the problems of flood control, irrigation, municipal water supply, power, recreation, and fish and wildlife. Flooding is a major problem and during the severe floods of 1969, 1983, and 1986, the area experienced extensive damages. The following are interim studies supported for funding in Fiscal Year 1997.

Arroyo Pasajero (Fresno)

A feasibility study is underway for the Arroyo Pasajero watershed near Coalinga, California in southwest Fresno County. Updated hydrologic and sedimentation studies now reveal that both the estimated sediment loads and storm volumes are several times greater than original design estimates. There are several public facilities in the floodplain including the California Aqueduct, Lemoore Naval Air Station, Interstate 5, and Highway 198. The lands east of the California Aqueduct are subject to flood damage as well as the Aqueduct.

The Board recommends funding to continue this study.

Stockton Metropolitan Area

The study area is located in the City of Stockton and vicinity within portions of Calaveras, San Joaquin, and Stanislaus Counties. The study area extends from the Calaveras River, Mormon Slough, and Bear Creek and tributaries area north of Stockton to the Littlejohns Creek and Farmington areas southeast of Stockton. The reconnaissance study will determine if a federal flood control interest exists. The study will also examine a request to transfer ownership of Farmington Dam to the Stockton East Water District.

The Board recommends funding to continue this study.

II. Preconstruction Engineering and Design

A. American River Watershed

The Board and the Department of Water Resources acted as the nonfederal sponsor for the Feasibility Study on the American River Watershed which has been completed. Supplemental information has been developed and the Division Engineer's recommendations were recently released. The proposed project will increase flood protection to the greater Sacramento area.

The Board recommends funding to continue preliminary engineering and design.

B. Kaweah River (Tulare County)

The study is to evaluate the feasibility to provide additional storage at Lake Kaweah (Terminus Dam) for increased flood protection ($1,300,000). Seismic stability is a concern and a separate study ($1,000,000) is needed.

The Board recommends funding for preconstruction engineering and design and seismic analysis.

III. Construction - General

A. Marysville/Yuba City Levee Reconstruction

The Sacramento River Flood Control Project was authorized in 1917 and modified by various Flood Control and/or River Harbor Acts in 1928, 1937, and 1941.

This program will reconstruct 44 miles of the 134 miles of levees which protect the Marysville/Yuba City area. The program will be cost shared with a number of local agencies. A Project Cooperation Agreement was executed in July 1994. The first of three construction contracts was awarded in July 1995.

The Board recommends funding for continued construction.

B. Merced County Streams

This project, authorized in 1970, will provide flood protection for the City of Merced and adjacent suburban and agricultural lands. Castle Dam has been completed. Funds are for preparing engineering and environmental documents leading to construction of additional proposed flood protection improvements for Merced.

The Board recommends funding for continued construction activities.

C. Sacramento River Bank Protection

The project, authorized in 1960, is a long-range federal-State effort to preserve the existing project levee system of the Sacramento River. These existing levees offer flood protection along 192 miles of the Sacramento River between Collinsville (in the Delta) and Chico Landing. The Sacramento River Bank Protection Project work consists of providing some form of bank stabilization at those points which are identified each year as the most critical. Emphasis is currently on erosion control work along the American River.

The Board recommends funding for continued construction.

D. Mid-Valley Area Levee Reconstruction

The project is located within the boundaries of the Sacramento River Flood Control System in Sutter and Yolo Counties in north-central California. The area includes the Sacramento River, Knights Landing Ridge Cut, and Sutter Bypass and the communities of Knights Landing and Robbins. An evaluation of about 240 miles of the Sacramento River Flood Control Project levees in the Mid-Valley area identified about 20 miles of levees that are structurally deficient and require reconstruction.

The Board will act as the local sponsor for reconstruction work. A Project Cooperation Agreement will be executed prior to initiation of construction currently scheduled for June 1996.

The Board recommends funding to initiate construction.

E. Lower Sacramento Area Levee Reconstruction

The project is located within the boundaries of the Sacramento River Flood Control System in Sacramento County in north-central California. The area includes the lower Sacramento River and its distributary sloughs and the town of Clarksburg. An evaluation of about 295 miles of the Sacramento River Flood Control Project levees in the Lower Sacramento area identified about 47 miles of levees that are structurally deficient. The project includes reconstructing about 2 miles of these levees.

The Board will act as the local sponsor for reconstruction work. A Project Cooperation Agreement will be executed prior to initiation of construction.

The Board recommends funding for construction activities.

F. Sacramento River Flood Control

This project was authorized in 1917 and modified by various Flood Control and/or River Harbor Acts in 1928, 1937, and 1941. The project comprises a comprehensive system of levees, overflow weirs, drainage pumping plants, and flood bypass channels, extending along the Sacramento River from Collinsville to Chico Landing. Levees in the Upper Sacramento Area were evaluated and 12 miles determined to be deficient and requiring reconstruction.

The Board recommends funding for construction.

G. Sacramento River at Glenn-Colusa Irrigation District (Glenn)

This project involves restoration of the hydraulic characteristics of the main channel of the Sacramento River. The Corps is conducting the engineering and design of works to restore the elevation of the Sacramento River in the vicinity of the Glenn-Colusa Irrigation District intake to conditions existing prior to the flood of 1970 to complement fish screen remedial work being developed by the U.S. Bureau of Reclamation under the Central Valley Project Improvement Act.

The Board recommends funding for initiating construction activities.

H. Upper Sacramento River - Murphy Slough

The congressional direction for the Upper Sacramento Fish and Wildlife Habitat reconnaissance study focussed on environmental restoration rather than an integrated flood plan. While we still believe flood control is an integral part of necessary studies, we support the study results.

It is recommended that a demonstration project for river restoration in accordance with Section 1135 of WRDA 1986 be developed on the upper Sacramento River near Murphy Slough. The site has been selected from the present reconnaissance study. State funding may be available providing the 1135 project is a restoration effort related to the Sacramento River Flood Control Project.

The Board recommends funding for this project.

I. China Island Habitat Restoration

As an outgrowth of the reconnaissance report on the San Joaquin River Mainstem study, it is strongly urged that a separate environmental restoration project be developed substantially consistent with the Section 1135 of the WRDA 1986 program. The locally preferred restoration site is known as China Island and would involve restoring historic wetlands and riparian habitat on about 3,300 acres of land southwest of the San Joaquin River above its confluence with the Merced River.

The Board recommends funding for this project.

J. West Sacramento

The Board is the nonfederal sponsor for the West Sacramento flood control project which was authorized for construction by WRDA 1992.

The Board supports funding to continue construction.

K. Yolo Basin Wetlands (Davis Site)

The project area is located next to the Yolo Bypass which is an operative feature of the Sacramento River Flood Control Project. The Yolo Bypass extends 43 miles from Fremont Weir on the Sacramento River, south to the town of Rio Vista where it rejoins the river. The Davis site will be 396 acres of mostly permanent wetlands.

The project was initiated in 1991 with funds added by Congress to the Fiscal Year 1991 Appropriations Act.

The Board recommends funding for continuing construction.

L. Magpie Creek (Sacramento)

Magpie and Don Julio Creeks are located in Sacramento County, McClellan AFB and City of sacramento. The flood control project will consist of channel improvements to increase the level of flood protection within the City and County of Sacramento. The Feasibility Study is scheduled to be completed in mid-FY-96. The flood control project will tie into flood control improvement work on McClellan AFB, which is scheduled to finalize design and start construction on-base in FY-97.

The Board recommends funding for construction.

WEDNESDAY, MARCH 6, 1996.

AUBURN-FOLSOM SOUTH UNIT

AMERICAN RIVER WATERSHED

WITNESS

WALTER SHULTZ, DIRECTOR, AMERICAN RIVER AUTHORITY

Ms. TENNIS. Our next speaker is from the American River Authority, Walter Shultz, the Director.

Mr. SHULTZ. Good morning, Mr. Chairman and committee members. I represent the area that runs roughly between the State capital of Nevada and the State capital of California. The American River Authority also includes not only El Dorado County and Placer County, two neighboring counties, but also San Jaoquin County.

It is very hard to condense down. Of course we have submitted written testimony, but to condense down 30 years of frustration of the people that I represent into just a few minutes, but I will try very hard to do that.

For 30 years this vital project has been held in a state of denial by misguided influence of a delusional generation that believed that a raging river is more environmentally beneficial than a well-regulated river. Now the silent, patient majority is no longer willing to accept the inevitable event. We have a poll in the local newspapers that indicate that 62 percent, 56 percent, 61 percent, 75 percent in our county, these are four areas within the region, want a multipurpose dam but we are willing to begin with a flood control facility because that is the most serious problem.

The whole region is holding its breath for an acceptance signal from you to begin solving the disaster before it happens, and the minute you do send that signal and the first shovel is turned, the region will take up the slack and finish the job standing on the shoulders of what you have started.

I kind of smiled when I heard Congressman Dornan talking about the impression it made on Congressman Fazio about Disneyland and rescuing Mini Mouse, and so that kind of reminded me of what may happen when the capital, with the largest population in the State of the Union, is under 5 to 15 feet of water.

I have been a hardened old insurance man for 33 years. The seven-tenths of a billion that we are asking the Federal Government for for this overall project is a microscopic premium compared to $20 to $40 billion in human, environmental, and economic disaster.

I want to thank you very much for this opportunity to try to condense 30 years of frustration.

[The statements of Mr. Nutting and Mr. Horton follow:]

AMERICAN
RIVER
AUTHORITY
c/o PLACER COUNTY WATER AGENCY
P.O. BOX 6570, AUBURN CA 95604 (916) 823-4860

February 27, 1996

Honorable John T. Meyers, Chairman
Appropriations Subcommittee on Energy and Water Development
c/o Office of Congressman John Doolittle
1526 Longworth House Office Building
Washington, D.C. 20515

Subject: "California Water Day," March 6, 1996

Dear Mr. Meyers:

On behalf of five members of the American River Authority (ARA) (Placer County, El Dorado County, San Joaquin County, Placer County Water Agency and El Dorado County Water Agency), I thank you for the opportunity to provide information regarding the Auburn Dam and the American River to you and your committee relevant to "California Water Day."

The goal of the ARA is the efficient development of the water resources of the American River for the economic development and prosperity of our region given its semi-arid climate. We believe that the completion of a Multi-Purpose Auburn Dam, started in 1965, is consistent with current environmental needs and other societal needs of the region. In 1965, the primary focus of the Auburn Dam project was to supply raw water for the agricultural needs in the Sacramento and San Joaquin Valley and flood control for Sacramento. This is still an important aspect of the Auburn Dam, but in 1996, there are a number of additional needs for the Auburn Project which are briefly described as follows:

1) Flood Control:
The greater Sacramento area is a community at risk and will be under 5' to 20' of flooded water someday if proper steps are not taken soon. Only a dam at Auburn can provide protection against a 500-year flood event. The other alternatives not only provide significantly less protection but adversely impact water supply as well, increasing the divisiveness between environmental values and economic prosperity. Folsom Dam provides protection against a 70-year event even though it was supposed to be at the 200-year level. The community believed this and developed accordingly until the storm of 1986.

2) Water Supply:
The Bureau of Reclamation just released a comprehensive study of water needs in the immediate area below Auburn that shows a need for an additional 500,000 acre feet by the year 2030. In addition, on a statewide basis, the State Department of Water Resources predicts a shortage, ranging from 4 million acre feet per year to 9 million acre feet per year in 30 years. In addition to this, both the Lower American River and the entire Bay-Delta System need water for environmental purposes. With a dam being the only solution to flood control problems, common sense leads to a multi-purpose project that will also help solve the State's water problems.

3) Folsom Dam and Reservoir:
Folsom Dam (Folsom) on the American River has the highest ratio of average annual runoff to storage capacity of any reservoir in California. Since Folsom was designed in the late 1940's, the hydrologic record has shown much higher flows than originally thought. From 1956 to 1996, Folsom Dam and Reservoir functioned as a multi-purpose project providing water, power, flood control, and recreation. At one time Folsom was the State's most popular park, until the flood of 1986 followed by years of drought, and now combined with re-operation to provide more and more space for flood water. A multi-purpose Auburn Dam would provide the stabilization of Folsom Reservoir, and it would enhance the ability of Folsom Dam and Reservoir to provide flood control, water, power, and recreation.

4) Central Valley Project:
The Federal Government is currently going through the environmental analysis phase of the Central Valley Improvement Act as directed by Congress. We believe that a new water supply, such as the Auburn Dam and Reservoir, would be very helpful in meeting some of the demands of this legislation.

It would seem that the Federal Government as well as local communities should be keenly interested in developing additional water resources in order to meet its many contracts, and should be a strong supporter of the Auburn Dam.

These comments are purposely brief and to the point. These and other water resource issues ARA staff would be pleased to elaborate upon at your request. There are follow up reports that can be made available if more details are desired from ARA Staff Chief Engineer Jack Warren or Executive Director David Breninger. They can be reached by phone at (916) 823-4860 or FAX at (916) 823-4960.

Thank you for this opportunity to respond.

Sincerely,

AMERICAN RIVER AUTHORITY

Raymond J. Nutting

Raymond J. Nutting
Chairman

RJN\JW\km

cc: Congressman John Doolittle
ARA Board of Directors
Merv de Haas
John Pulver
Ed Schnabel

Placer County Water Agency
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A Public Agency

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February 27, 1996
File 100-14, 400-36

Honorable John T. Meyers, Chairman
Appropriations Subcommittee on Energy and
Water Development
c/o Office of Congressman John Doolittle
1526 Longworth House Office Building
Washington, D.C. 20515

Subject: Testimony by Edward Horton, Chairman, Placer County Water Agency, Regarding Support for an Expandable Multi-Purpose Auburn Dam

Mr. Chairman:

On behalf of the Placer County Water Agency I respectfully submit, as Chairman, the following testimony regarding water resource related issues facing Placer County upon which the Subcommittee is in a position to consider action and in particular support for Congressman John Doolittle's legislation for an expandable, multi-purpose Auburn Dam on the North Fork American River. I appreciate this opportunity and your consideration of my comments.

MULTI-PURPOSE AUBURN DAM

The Placer County Water Agency has supported the construction of a multi-purpose Auburn Dam for 30 years. This project is vital to the interests of the Placer/Sacramento region, the State of California and the United States Government.

(1) New Flood Control:

The greater Sacramento area is at serious risk of being flooded under 5' to 20' of water someday if proper steps are not taken soon. Sacramento has the lowest level of flood protection for any community of its size in the nation. Only a multi-purpose dam at Auburn can provide an adequate level of protection. The other alternatives for flood control not only provide significantly less protection but adversely impact the region's water supply as well, increasing the divisiveness between environmental values and economic prosperity. The U.S. Corps of Engineers, The California Reclamation Board and Sacramento Area Flood Control Agency support a flood control facility at Auburn.

(2) New Water Supply:

The Bureau of Reclamation has just released a comprehensive study of the water needs in the region to be served by Auburn Dam that shows a need for an additional 500,000 acre feet by the year 2030. On a statewide basis, the California Department of Water Resources predicts a shortage, ranging from

4 million acre feet per year to 9 million acre feet per year in 30 years. In addition, recent studies show that both the Lower American River and the Bay-Delta System need vast amounts of additional water for a variety of purposes. With a dam being the only effective solution to the flood control problem, future expandability of the structure to a multi-purpose project is critical to solving some of the water problems of the region, State and Federal governments.

(3) Interim Pumping Facilities:

The Placer County Water Agency constructed the Middle Fork American River Project, including two major reservoirs, five powerhouses and diversion facilities for its water rights at Auburn in the mid 1960's.

The Agency, at the request of the Federal government, eliminated the construction of a third major storage reservoir and hydroelectric plant to be known as the American Bar Dam and Reservoir, from our Middle Fork Project. This concession was done to allow the Federal government to make room for a 2.3 million acre feet, multi-purpose Auburn Dam and Reservoir.

In exchange the Bureau entered into a CVP contract obligation to provide the Agency 117,000 acre feet a year of water from the North Fork American River. Another agreement provided for the Bureau to remove the Agency's existing initial permanent pump station and facilities for pumping water to the inlet of the Agency's existing Auburn Diversion Tunnel. The tunnel built 30 years ago is 250 feet above the American River near the proposed Auburn Dam site. The tunnel is three miles long, 12 feet in diameter and has a capacity of 450 cubic feet per second to supply water for the municipal, industrial and agricultural needs in Placer County.

Today, the Agency requires year round, reliable access to our American River water holdings. The United States is under contract to the Agency to provide the Agency access to its American River water. To meet this obligation the Bureau of Reclamation installs a replacement pump station annually with a temporary, non-reliable, non-year round pumping facility. Not only does this temporary facility cost hundreds of thousands of Federal government dollars annually, but it must be removed each winter to avoid even further damage due to annual flooding of the pump site. This annual removal leaves the Agency without a reliable water supply for many months each year.

The Bureau has completed a preliminary concept design for the replacement of the Agency's American River Pump Station and Congressman Doolittle has included funding for the interim facility in his Auburn Dam legislation.

(4) State Highway 49 Road and Bridge Alignment and Relocation:

The relocation of State Highway 49 along with the improvement of existing connecting roads and intersections to handle the redirected traffic is an essential part of the Auburn Dam project. The Agency and the County of Placer support the provisions contained in Congressman Doolittle's proposed Auburn Dam legislation regarding this matter.

(5) Folsom Dam Safety and Reservoir Re-operations:

Folsom Dam and Reservoir (Folsom) on the American River has the highest ratio of average annual runoff to storage capacity of any reservoir in the CVP system. From 1956 to 1986, Folsom functioned as a multi-purpose project providing high levels of water supply, recreation and power, as well as flood control within the watershed. The Folsom State Park was California's most popular recreation area until the flood of 1986 and subsequent re-operation drastically changed its function. Since Folsom was designed in the late 1940's, the hydrologic record has shown much higher average and flood flows than originally thought. Today, because Folsom has such a high probability of refilling, it is regularly drained to meet new demands for Sacramento flood control and early year Delta environmental needs. This operation is well beyond its design intent. The result is that local drought water supply reliability and recreation have been sacrificed and such re-operation must cease with completion of a new Auburn dam.

The Agency recognizes the importance of assuring the safety and reliability of Folsom Dam. Last year's flood gate failure on Folsom Dam was a sharp reminder of the need for periodic safety re-evaluations and improvements as needed, as well as adequate annual preventative maintenance. The Agency supports the provisions contained in Congressman Doolittle's proposed Auburn Dam legislation regarding this matter.

Construction of a multi-purpose Auburn Dam as proposed in Congressman Doolittle's legislation would greatly increase the ability of the American River system to meet all of the demands being placed upon it and still allow for the stabilization of Folsom so it can continue to provide dry year water supply and recreation benefits to Placer County and the Sacramento region.

Sincerely,

PLACER COUNTY WATER AGENCY

Edward Horton
Chairman, PCWA Board of Directors

EH/EM/cs
pc: Congressman John T. Doolittle
PCWA Board of Directors
County of Placer Board of Supervisors
American River Authority Board of Directors
David Breninger, General Manager
Don Lunsford, Placer County Executive Director

WEDNESDAY, MARCH 6, 1996.

SACRAMENTO RIVER GRADIENT

HAMILTON CITY PUMPING PLANT

STONEY CREEK SIPHON

WITNESS

DONALD BRANSFORD, PRESIDENT, GLENN-COLUSA IRRIGATION DISTRICT

Ms. TENNIS. We will move to number five, Don Bransford, from the Glenn-Colusa irrigation district.

Mr. BRANSFORD. My name is Donald Bransford. Good morning. I am a rice farmer from Colusa County and President of the Board of Directors of the Glenn-Colusa irrigation district.

I appreciate the opportunity to testify before you this morning regarding the Federal funding priorities for Glenn-Colusa, and I appreciate the subcommittee's past efforts to address our concerns, particularly those of Congressman Vic Fazio, who represents our area, and Congressman Frank Riggs, whose district is just to the west of us. The district is one of the largest and oldest diversions of water on the Sacramento River.

On behalf of Glenn-Colusa, I respectfully request you provide $4.3 million for the Bureau of Reclamation in fiscal year 1997 to advance work on a permanent new fish screen at the Hamilton City Pumping Plant. It is our understanding this amount will be included in the President's budget.

For the U.S. Army Corps of Engineers, Glenn-Colusa requests the committee's support of an appropriation of $1 million to the Corps of Engineers to continue work on the gradient restoration project.

Finally, the district requests an earmark, from within the funds made available for refuge water supply, $2 million to initiate design and feasibility studies to supply water year-round to three national wildlife refuges that cover over 20,000 acres in the district service areas.

Thank you for your past support and thank you for your consideration.

[The statement of Mr. Bransford follows:]

GLENN-COLUSA
IRRIGATION DISTRICT

WATER RIGHTS SINCE 1883

[illegible]

POST OFFICE BOX [illegible] • 344 EAST LAUREL STREET
WILLOWS, CALIFORNIA [illegible]
TELEPHONE [illegible]

United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable John Myers, Chairman

Statement of Mr. Donald Bransford
President
Glenn-Colusa Irrigation District
March 6, 1996

Mr. Chairman, Members of the Subcommittee, my name is Don Bransford. I am a rice farmer from Colusa County, California, and I am President of the Board of Directors of the Glenn-Colusa Irrigation District (GCID).

I appreciate the opportunity to testify before you this morning regarding the federal funding priorities for GCID. I also appreciate the Subcommittee's past efforts to address our concerns, particularly the efforts of Congressman Vic Fazio, who represents our area, and Congressman Frank Riggs, whose District is just to the West of us.

GCID is the largest and one of the oldest diverters of water from the Sacramento River. The District delivers water to approximately 1,200 families who have about 141,000 acres of land in cultivation in Glenn and Colusa Counties.

The agricultural activities supported by the District help sustain an estimated 12,000 jobs in the region and generate $255,000,000 in economic activity per year.

The District is also the sole source of surface water for three wildlife refuges -- the Sacramento, Delevan and Colusa National Wildlife Refuges -- that cover some 20,000 acres in the heart of the Sacramento Valley.

The District is firmly committed to obtaining lasting protection of the winter-run salmon and other fishery resources at the Hamilton City Pumping Plant.

Over the last several years, the District has invested over $2,000,000 on the construction of an interim flat-plate fish screen and other improvements to provide immediate protection to the endangered winter-run chinook salmon and other fish species. Since the installation of the flat-plate fish screen, there have been no fish taken at the GCID pumping plant. We are operating under a zero take limit for the winter run chinook salmon, and constant monitoring has revealed no evidence of take having occurred at the plant.

While the new flat-plate screen, installed in late 1993, has been very effective, it is only an interim solution. Permanent protection is needed. Without a new permanent fish screen, the District will continue to face pumping restrictions that will hold water deliveries by the District to just 65 percent of the District's full water entitlement.

And, unlike some other projects authorized in the Central Valley Project Improvement Act (CVPIA), the availability of non-federal cost-sharing is not in doubt at GCID. The District has set aside $5,500,000 to date to help pay for the non-federal, 25 percent cost-share of a new permanent fish screen. We are ready and able to cost share any federal funds provided by this Committee.

On behalf of GCID, the fishery and all of those whose economic fate is tied to the recovery of the winter run salmon, I respectfully request that you provide **$4,300,000 for the Bureau of Reclamation in fiscal year 1997 to advance work on a permanent new fish screen at the Hamilton City Pumping Plant**. I am please, Mr. Chairman, to be able to inform you that, for the first time, the full request is anticipated to be included in the president's budget request.

Specifically, an allocation of $4,300,000 is needed to complete the environmental reviews and the design and engineering work, and to initiate construction on this important project.

According to the state and federal fishery resource agencies, after the completion of the Shasta Temperature Control Device, a new fish screen at the District's pumping plant is among the highest priorities of all of the CVPIA authorized activities.

Without such a commitment of funds, construction will be delayed. That will mean less water for the farmers, a less speedy recovery of the fishery and less revenue for the federal Treasury, all because of reduced water deliveries. Failure to provide the funds necessary to advance the project represents a lose-lose-lose proposition. It is bad for the taxpayers, it is bad for the farmers and it is bad for the fishery resource. Again, I urge you to provide an allocation of $4,300,000 to keep the project moving forward on an optimum schedule.

For the **U.S. Army Corps of Engineers, GCID requests the Committee's support of an appropriation of $1,000,000 to the Corps of Engineers to continue work on the Sacramento River gradient or riffle restoration project**. Construction of the gradient restoration project has become increasingly important. It will improve the safe passage of winter run chinook salmon and other fish in that reach of the Sacramento River by stabilizing the river elevation. This is critical to the effectiveness of what is anticipated to be the preferred alternative for a new fish screen at GCID's pumping plant.

Finally, Mr. Chairman, GCID requests that the Subcommittee **earmark, from within the funds made available for refuge water supply, $2,000,000 to initiate design and feasibility studies to construct a siphon across Stony Creek**. This project will enable the District to make year-round water deliveries to the three National Wildlife Refuges in the GCID service territory as well as make Stony Creek available for possible development as a new site for spawning habitat. It will also allow water deliveries during the winter for crop diversification and to expand the acreage that is flooded for rice straw decomposition and wildlife habitat.

Mr. Chairman, Members of the Subcommittee, on behalf of GCID, I would like to express my appreciation for your past support of our efforts to address the fish bypass problem at the Hamilton City Pumping Plant, and I respectfully request your support once again in the fiscal year 1997 Energy and Water Development Appropriations Act.

Thank you for your consideration.

Mr. FAZIO. Mr. Chairman, I don't intend to interrupt as often as I would like, but I do want to say the Glenn-Colusa irrigation district has put up with an awful lot of bureaucratic impediments through the years, but under the leadership of Don Bransford and some of the members who have been recently elected to that board, we are really making progress, and I hope this committee can keep faith with their efforts at the local level.

Mr. BRANSFORD. Thank you.

Ms. TENNIS. Thank you very much.

WEDNESDAY, MARCH 6, 1996.

AMERICAN RIVER WATERSHED PROGRAM

SOUTH SACRAMENTO COUNTY STREAMS

SACRAMENTO RIVER FLOOD CONTROL PROJECT

MAGPIE CREEK

WITNESS

PAUL DEVEREUX, DIRECTOR OF ENGINEERING, SACRAMENTO AREA FLOOD CONTROL AGENCY

Ms. TENNIS. Moving on to the Sacramento Area Flood Control Agency, we have Paul Devereux, District Engineer.

Mr. DEVEREUX. Thank you, members of the Committee. On behalf of the Sacramento Area Flood Control Agency, as well as the 400,000 people in the floodplain you have been introduced to already, I am here to thank this committee for its past support and efforts, particularly Congressman Fazio for the work he has done in helping to solve what I believe is Sacramento's number one infrastructure problem, which is flood protection.

I am also here speaking on behalf of the continued appropriations for the American River Project with the Corps' estimate of $8 to $16 billion in potential damages as well as the potential for loss of life in a major flood. We believe it is time to move forward with solving that flood protection problem. People have suggested more studies need to be done. I believe we have studied the problem to death and it is now time to make a decision and move on with the project.

The community supports now the project that provides the highest level of flood protection as well as the most cost-effective, which is the detention dam along the American River.

I am also here to support three other projects: The South Sacramento Streams feasibility study's funding for the section 205's continuing authorities programs so we can complete construction or at least commence construction on Magpie Creek, as well as the bank protection work we need to do along the lower American River levees.

Thank you once again for your support.

Mr. FAZIO. Thank you, Paul.

[The statement of Mr. Devereux follows:]

SAFCA

Sacramento
Area Flood
Control
Agency

SACRAMENTO AREA FLOOD CONTROL AGENCY

SACRAMENTO, CALIFORNIA
MARCH 6, 1996

BEFORE

UNITED STATES HOUSE
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

THE HONORABLE JOHN MYERS, CHAIRMAN

IN

SUPPORT OF APPROPRIATIONS
FOR

- AMERICAN RIVER PROJECT–PRECONSTRUCTION, ENGINEERING AND DESIGN
- SOUTH SACRAMENTO COUNTY STREAMS–FEASIBILITY
- MAGPIE CREEK UNDER SECTION 205 SMALL PROJECTS–PRECONSTRUCTION, ENGINEERING, DESIGN AND CONSTRUCTION
- SACRAMENTO RIVER BANK PROTECTION PROJECT (LOWER AMERICAN RIVER) PRECONSTRUCTION ENGINEERING, DESIGN AND CONSTRUCTION

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Sacramento CA 95814-3407

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Dear Mr. Chairman and Members of the Subcommittee;

My name is Paul Devereux, Director of Engineering of the Sacramento Area Flood Control Agency (SAFCA). I am here today representing the SAFCA Board of Directors as well as the City of Sacramento, County of Sacramento, County of Sutter, Reclamation District 1000 and the American River Flood Control District. I am also here representing over 400,000 Sacramentans who live at the confluence of the two major rivers draining much of Northern California–the Sacramento and American Rivers. Together we are soliciting the continued support of this Subcommittee to solve our region's most critical infrastructure problem–adequate flood protection. The recent flooding experienced by our neighbors to the north in Oregon is a reminder of the potential flooding here in Sacramento. Had those storms tracked over Central California - our flood control system would have been tested to the limit and beyond with the potential for a multi-billion dollar disaster.

First of all, I would like to thank the Chairman and Subcommittee members, particularly Congressman Vic Fazio, for their past support of our efforts to protect the citizens and properties of the greater Sacramento urban area. I also urge your Subcommittee to maintain federal support for flood control and oppose efforts to significantly reduce the federal role. The savings over the short term will, over time, lead to greater expenditures from the federal treasury in disaster assistance and result in significant adverse impacts on the national economy.

SAFCA supports the continued funding for the following projects:

1. **American River Project**–$3.5 million for continued Pre-construction, Engineering, and Design to address the most serious flood risk to Sacramento with over 400,000 residents and almost $40 billion of property in the floodplain.

2. **South Sacramento Streams Group**–$600,000 for Feasibility Study to address flood risks in South Sacramento where flooding occurred during January 1995.

3. **Magpie Creek (Section 205 Small Project)**–$300,000 funding under the Section 205 Program to complete Pre-Construction, Engineering and Design and commence construction as soon as possible.

4. **Sacramento River Bank Protection**–$6.5 million for Pre-construction, Engineering and Design with construction to start as soon as possible to address serious bank erosion adjacent to the American River levees protecting the urban core of Sacramento.

BACKGROUND

No river city in America faces a graver threat of flooding than Sacramento. Without substantial improvement of the existing flood control system, there is about one chance in four that Sacramento will be flooded from the American River over the next thirty years. A home in the floodplain is thus more likely to be damaged by a flood than a fire or an earthquake. Unlike other river communities who have days to raise and strengthen levees in anticipation of flood flows, Sacramento has but a precious few hours to react. The American River Watershed brings runoff very quickly to the only major reservoir on the system - Folsom Dam. The limited flood control space would fill quickly leading to higher flood control releases to the urban areas immediately downstream, protected by miles of earthen levees. The flood will likely be the direct result of either a levee failure or overtopping along the Lower American River. Water levels in the American River, eight to fifteen feet higher than the ground outside the levees, will pour through the gap and spill into the heavily urbanized flood plain.

This community understands its responsibilities to help solve this problem with local resources as opposed to relying strictly on federal funds. Since the record flood of 1986, SAFCA has determinedly pursed a three-pronged program to reduce the risk of flooding in Sacramento: (1) Repair and improve the levees which provide residents of the floodplain with the first line of defense against flood damages; (2) Increase the storage available for flood control at Folsom Reservoir on an interim basis so as to enable dam operators to provide Sacramento with a 100-year level of flood protection until such time as long-term flood control improvements are in place; and (3) Create new flood control storage capacity sufficient to provide a high level of flood protection through the construction of a flood control dam on the Middle Fork of the American River near Auburn. In addition to these structural improvements, the agency has assisted the City of Sacramento in developing an innovative, comprehensive, non-structural floodplain management policy. In pursuit of these initiatives, SAFCA will have spent approximately $90 million in local funds for planning, administration and construction of flood control improvements throughout the Sacramento region by the end of this year.

At this time, we are testifying in support of funding for FY 1997 on the following projects:

1. AMERICAN RIVER PROJECT

SAFCA supports a budget of $3.5 million for continuation of Pre-construction, Engineering and Design (PED) on the American River Project. We also urge authorization by this Congress of the expandable Flood Detention Dam recommended by the Corps of Engineers, State and local government (through SAFCA).

When Folsom Dam was constructed along the American River in the 1950's, it was designed to provide Sacramento a high level of flood protection (in excess of 250-year protection). Over time, the level of protection provided by the reservoir and downstream levees has been continually downgraded as larger than anticipated flood events have descended on the valley. In fact, the five largest floods recorded on the American River have occurred after Folsom Dam was constructed. Finally, after the 1986 flood, the Corps of Engineers have determined that Sacramento has only a 63-year level of flood protection;

a far cry from the high level deemed appropriate and thought obtained in 1955 and significantly less than other similarly situated major urban areas around the nation including St. Louis, Kansas City, Dallas, Omaha, Minneapolis, or Pittsburgh.

The American River floodplain is occupied by 400,000 people, 160,000 residential structures, 5,000 businesses and 1,200 government facilities, including the State Capital, with an estimated value of $37 billion. Economic losses from an uncontrolled flood are estimated to range from $7 billion to $16 billion depending on the magnitude of the flood event.

The matter of long-term flood protection for Sacramento is ripe for a decision by Congress. A Chief's Report identifying the Locally Preferred Plan has been available to Congress since 1992. The supplemental information which the Corps was directed to provide is also now available. SAFCA heartily agrees with the principal finding of the National Research Council's Committee on Flood Control Alternatives in the American River Basin which stated; "It is time to select and implement flood risk reduction strategies for the American River basin."

2. SOUTH SACRAMENTO COUNTY STREAMS

SAFCA supports a budget of $600,000 for continuation of Feasibility Studies for a flood control project on the South Sacramento County Streams including Morrison, Laguna, Unionhouse, and Elder Creeks.

The Reconnaissance Study demonstrated the significant risk and yielded a very cost effective flood control project. The flood danger indicated by the study was confirmed by the flood damage of last year. Over 300 homes in South Sacramento were flooded as the swollen creeks could not accommodate the local runoff from nearby subdivisions. The water reached to within a few feet of existing levee tops along the entire system and in some places overtopped spilling water into streets and subdivisions. Worse flooding was averted because the major river systems downstream were not at flood stage allowing the creeks to drain.

SAFCA is the non-federal sponsor for the Feasibility Study. Working with the City and County, we are providing 50% of the $3 million study costs. In addition, to address the serious public safety risk, SAFCA is proceeding with implementing the most critical features of the project in advance of the Corps, using local funds (estimated at $12 million) We will request future credit should a project ultimately be authorized and construction appropriations approved.

3. MAGPIE CREEK (SECTION 205 SMALL PROJECT)

SAFCA supports a budget of $300,000 under the Section 205 Small Projects Program for Magpie Creek. We further request assistance in establishing completion of PED and commencing construction of the Magpie Creek as a priority within that program.

The State and SAFCA are now the non-Federal sponsors for the Corps project which consists of enlarging an existing flood control channel built as a Federal project in the 1950's. With existing hydrologic data, the existing project cannot even contain a 100-year flood. The proposed project has a 2.3 to 1 benefit to cost ratio and can provide approximately 180-year protection. The Corps project joins proposed flood improvements on McClellan Air Force Base which protects existing Base facilities. The local community is urging completion of the on-Base project as part of the eventual privatization of McClellan in order to attract business and industry to that facility. The Secretary of Defense recently announced funding for the on-Base project. Implementation of the work on McClellan requires the downstream Corps project be completed to insure properties are not adversely affected by the higher flows from the Base. Therefore, it is critical the Corps complete the design and commence construction of the Magpie Creek Project as soon as possible to (1) provide the increased flood protection to properties at risk; and (2) not impede the scheduled on-Base improvements. The locals are poised to commence relocation and right-of-way acquisition to expedite the project and reduce the flood risk to residents in the floodplain.

4. SACRAMENTO RIVER BANK PROTECTION (LOWER AMERICAN RIVER LEVEES)

SAFCA supports a budget of $6.5 million for the Corps to address bank erosion which threatens the primary levees along the Sacramento River Flood Control System. In particular, several sites have been identified along the American River below Folsom Dam where continued erosion of the banks could begin to affect the integrity of the adjacent levees as well as destroy valuable habitat. In fact, one of these sites experienced serious erosion in mid-February with the American River running at only one-fourth of its capacity. Within a matter of hours, up to 20 feet of the bank was lost. Only emergency work by the local flood control district prevented further damage including erosion of the levee itself.

The 26 miles of levees, flanking the American River Parkway through the heart of Sacramento, are the difference between flood protection and catastrophy. In addition, the Parkway has become a valuable asset to our community. The natural environmental values and recreational opportunities provided by the Parkway in such close proximity to a major urban area is rarely rivaled across the nation.

The Lower American River Task Force of interested stakeholders including flood control and resource agencies, environmental groups, business leaders and neighborhood groups have succeeded in developing a planning framework within which to carry out bank protection improvements covering about 13,500 lineal feet along some of the most critical reaches of the lower American River. The bank protection would be funded under the existing authorized Sacramento River Bank Protection Project with local cost sharing by SAFCA and the State. Because of the recent problems relayed above, we would like to expedite the process and commence actual construction as soon as possible. A first priority is the erosion site which was fixed temporarily and is in desperate need of permanent bank protection.

In closing, I would like to say the Sacramento community has pulled together in a responsible manner to address our number one infrastructure problem–flood protection. We have, and will continue to spend local funds to identify and implement responsible flood control projects. However, we need the support of the federal government to achieve the long term, high level of flood protection appropriate for the frequency and severity of a catastrophic flood event in Sacramento. We request the Subcommittee's continued support in recognition of our communities efforts to resolve the public safety risk. With your help, we can move one step closer to eventually meeting Sacramento's needs for flood protection.

Once again, thank you for your consideration and support.

Mr. RIGGS. When you say, the detention dam along the American River, that is otherwise known as the Auburn Dam?

Mr. DEVEREUX. The expandable detention dam at Auburn; correct.

Mr. RIGGS. Did the Sacramento Area Flood Control Agency go on record with a vote?

Mr. DEVEREUX. Yes, we did. They voted in support of that project.

Mr. RIGGS. Thank you very much.

Ms. TENNIS. Thank you.

WEDNESDAY, MARCH 6, 1996.

STOCKTON EAST WATER DISTRICT

WITNESS

JERRY KENNEDY, WASHINGTON, D.C., REPRESENTATIVE, STOCKTON EAST WATER DISTRICT

Ms. TENNIS. We will move on to our eighth witness, Stockton East River Strict represented by Jerry Kennedy.

Mr. KENNEDY. I want to thank the committee for the opportunity to appear on behalf of Stockton East Water District.

Stockton East serves over 300,000 people and provides water to 65,000 acres of irrigated farmland. We again join with Congressman Richard Pombo and the city of Stockton in the continuing support of the Stockton metropolitan area study for flood control by the Army Corps of Engineers.

This $550,000 supported by the California Water Commission for fiscal year 1997 provides a means of effectively and efficiently managing the water resources while protecting lives and property. A study of the Corps' Farmington Dam will help determine if it is feasible to use this facility for wet year storage in addition to the necessary flood control function that it serves now.

Thank you very much.

Ms. TENNIS. Thanks.

[The statement of Mr. Kennedy follows:]

United States House of Representatives

Committee on Appropriations

Subcommittee on Energy and Water Development

The Honorable John Myers, Chairman

Wednesday, March 6, 1996

TESTIMONY

JERRY W. KENNEDY

WASHINGTON REPRESENTATIVE

STOCKTON EAST WATER DISTRICT

STOCKTON, CALIFORNIA

TESTIMONY OF JERRY W. KENNEDY
on behalf of the Stockton East Water District
March 6, 1996

SUMMARY

I am Jerry Kennedy and I want to thank the committee for the opportunity to appear on behalf of the Stockton East Water District.

Stockton East serves over 300,000 people and provides water to 65,000 acres of irrigated farmland. The District was formed to solve the serious environmental problems of groundwater overdraft and saltwater intrusion in the Stockton area. We built a $23 million treatment plant to reduce these problems by supplying treated surface water. In 1983 we entered into a contract with the Bureau of Reclamation for deliveries of Central Valley Project water from New Melones Reservoir on the Stanislaus River. We joined with the City of Stockton, the County of San Joaquin, and our neighboring water district to provide $65 million to build a conveyance facility that was completed in 1993. However our requests for water under our contract have been turned down by the Bureau time and time again.

We still face ever increasing problems associated with groundwater overdraft and saltwater intrusion. We need a reliable supply of surface water to combat these problems. Your Committee provided $400,000 for Fiscal Year 1995 for the American River Folsom South Optimization Study. This study is needed to determine the feasibility of wet year storage at South Gulch or Farmington Dam for flood control and conjunctive use. However, we have been told by the Bureau of Reclamation that they are not doing the study or spending the funds. We hope that you will direct the Bureau to get this study underway as part of the New Melones Water Management Study (NMWMS) to determine both the water operations strategy for New Melones and a strategy for conjunctive use with Farmington Dam and South Gulch. We have been told the Federal share of this study is $150,000 with a fifty percent local cost share. We are prepared to participate locally and hope your Committee will see that the Bureau comes up with its share.

We again join with Congressman Richard Pombo and the City of Stockton in support of a Stockton Metropolitan Area Study for flood control by the Army Corps of Engineers. This $550,000 for Fiscal Year 1997 provides a means of effectively and efficiently managing the water resource while protecting lives and property. A study of the Corps' Farmington Dam will help determine if it feasible to use this facility for wet year storage in addition to the necessary flood control function it serves now.

Thank you for your Committee's attention to our problems in the past. I am sure that with your Committee's continued support, we will be able to find, with local level and Federal participation, a reliable water supply for the Stockton area in the future.

United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable John Myers, Chairman

TESTIMONY OF JERRY W. KENNEDY
March 6, 1996

My name is Jerry Kennedy. I am the Washington Representative for the Stockton East Water District in Stockton, California. I am pleased to have the opportunity to testify before this committee concerning Federal funds for projects that are extremely important for our water supply and critical to the long-term survival of our community. Our efforts to obtain a reliable surface water supply for Stockton and San Joaquin County have faced considerable obstacles. The District joined with our neighbor, the Central San Joaquin Water Conservation District, and with the City of Stockton and the County of San Joaquin to build a conveyance facility for water deliveries from the New Melones Reservoir on the Stanislaus River.

The Districts and local governments provided $65 million in local funds to build a system in reliance on contracts with the U.S. Bureau of Reclamation. These contracts provide for the delivery of much-needed water from the Federal Central Valley Project. We requested deliveries in 1993, 1994 and again in 1995. However, these requests for the water under our contracts were turned down by the Bureau. We continue to be rebuffed by the Bureau at every turn in our efforts to get water from New Melones.

A reliable water supply is absolutely essential to correct the saltwater intrusion and groundwater overdraft problems of our area. The Stockton East Water District was established under California law to implement solutions to these serious environmental problems. The District built a $23 million treatment plant to reduce the overdraft on groundwater by supplying treated surface water. The District provides water for both agricultural and municipal purposes, serving approximately 115,000 acres, 65,000 acres of irrigated farm land, and over 300,000 people.

We continue to seek solutions to groundwater overdraft and saltwater intrusion. However, we are faced with alternatives that include Federal involvement and the wise management of Federally-controlled resources. We believe there are cost-effective approaches that will make surface water available to be conjunctively managed with the existing groundwater resources in the Stockton area.

Your Committee has been consistent in its support of our efforts. You provided $400,000 in Fiscal Year 1995 appropriations for the American River Folsom South Optimization Study. We were pleased that the Congress acted to get the Bureau of Reclamation to take a look at this conjunctive use option. However, the Bureau told us by letter that they are not going to do this study because the State pulled out after the Central Valley Project Improvement Act ("Miller-Bradley") was adopted. The Bureau rejected our offer to replace the State as the local participant and told us the funds had been returned to the U.S. Treasury

The American River Folsom South Study still needs to be done as a part of the long-term New Melones Water Management Study (NMWMS) to determine the feasibility of wet year storage at South Gulch or Farmington Dam. Responsible management of the water resource needs to include flood control and conjunctive use. This environmentally friendly approach could enhance flood control while providing water to combat saltwater intrusion in the Stockton area.

Your funding of the American River Folsom South Optimization Study was a step in the right direction. We hope that you will direct the Bureau of Reclamation to begin this study as part of the New Melones Water Management Study (NMWMS). We understand from the Bureau that the Federal share of this study for Fiscal Year 1997 is $150,000 with a 50%-50% cost share. We are willing to participate in the cost sharing of a study that addresses the operations of the New Melones Reservoir in a conjunctive use environment. The California Water Commission voted on March 1 to support the NMWMS if a funding source can be found.

This New Melones Water Management Study will provide a long-term water operations strategy for the New Melones Reservoir and the Stanislaus River basin combined with conjunctive use of existing and new facilities. Currently, the Central Valley Project Operations Division of the Bureau is conducting the interim NMWMS that will determine the operations for New Melones for the next one to three years. The interim study will carry operations through the current Bay-Delta process.

We believe the long-term study should be a negotiated settlement among the stakeholders to determine long-term operations. The long-term operation should be based on water availability by different year types, existing facilities, new facilities including conjunctive use storage at an enlarged Farmington Dam or at a new 160,000 acre foot reservoir at South Gulch, and the differing demands for agriculture, urban use, and the environment. Data analysis would be to determine how to balance supplies with demand.

TESTIMONY OF JERRY W. KENNEDY
March 6, 1996

We join with Congressman Richard Pombo, the City of Stockton, and the California Water Commission, in support of $550,000 in Fiscal Year 1997 for the continuation of the Stockton Metropolitan Area Study for flood control by the U.S. Army Corps of Engineers. Successful management and stewardship of the water resource can provide solutions to our water supply problems. The Corps operates Farmington Dam that has the potential of conservation storage of up to 160,000 acre feet. However, a study is needed to determine the seepage and whether it is feasible to raise the level of this dam. This conjunctive use should be examined as part of the flood control strategy of the Corps.

We hope that this Committee will act favorably to help the people of the Stockton area help themselves in solving our long-term water problems. Your Committee's past leadership has been essential in providing us with the tools to solve our problems. These studies are necessary to bring about the local-Federal partnership necessary for us to meet these challenges.

WEDNESDAY, MARCH 6, 1996.

MERCED COUNTY STREAMS PROJECT

WITNESS

JAY ANDERSON, CONSULTANT

Ms. TENNIS. Our next witness is Jay Anderson from the Merced Irrigation District.

Mr. ANDERSON. My name is Jay Anderson, representing the Riverside County Board of Supervisors, my 23rd year before this Committee. Mr. Joe Evans was Chairman the first time I appeared.

Mr. MYERS. Almost as long as I have been on the Committee.

Mr. ANDERSON. The first component of our project, the Casa Dam, was completed in 1992. This was constructed under budget, ahead of schedule, without a lost-time accident.

In the interests of time, I would like to have you take my complete statement in the record; and I think I have told this story many times, and it is in the record, in order to save time for the other witnesses. Thank you.

Mr. MYERS. Good to see you again.

Ms. TENNIS. Thank you very much.

[The statement of Mr. Anderson follows:]

MERCED COUNTY STREAMS

STATEMENT OF

JAY ANDERSON, SECRETARY FOR THE

MERCED COUNTY STREAMS PROJECT

MERCED, CALIFORNIA

TO

UNITED STATES HOUSE OF REPRESENTATIVES

COMMITTEE ON APPROPRIATIONS

SUB-COMMITTEE ON ENERGY AND WATER DEVELOPMENT

THE HONORABLE JOHN MYERS, CHAIRMAN

March 6, 1996

PROJECT:	MERCED COUNTY STREAMS
AGENCY:	MERCED COUNTY, CALIFORNIA
ACTION REQUESTED:	APPROVAL OF $900,000 FOR CONTINUED CONSTRUCTION OF MERCED COUNTY STREAMS PROJECT

Mr. Chairman and Members of the Committee:

My name is Jay Anderson of Merced, California. I am representing the Merced County Board of Supervisors, which, together with the State of California, is the sponsor of the Merced County Streams Project. The County is joined by the Merced Irrigation District, the City of Merced, the El Nido Irrigation District, and the Le Grand Athlone Water District.

Federal authorization for the project construction was granted as part of the Supplemental Appropriations Act of 1985. Authorized facilities include constructing dry dams on Canal (Castle Dam) and Black Rascal Creeks (Haystack Mountain Dam), enlargement of the existing Bear Creek Dam, and modification of levees and channels along more than 25 miles of Fahrens, Black Rascal, Cottonwood, and Bear Creeks. The completed project will provide flood protection worth more than $10,000,000 per year to 263,000 acres of urban and agricultural lands. Total project cost is currently estimated to be $124,500,000 of which $38,600,000, or roughly 31%, will be paid during construction by the local beneficiaries.

When completed, more than 240,000 residents occupying 55,000 housing units within the greater metropolitan Merced area will live with assurance of 125-year flood protection, while the lower rural area will receive 25-year protection.

The first component of the project, Castle Dam, was completed in 1992. This component was constructed under budget, ahead of schedule, and without a lost-time accident. Without Castle Dam during the intense storms of January, February and March 1995, the city of Merced would have been partially inundated. We look forward to the transfer of operational responsibility within the next year.

As a result of a request by the County of Merced, Corps of Engineers has reevaluated project components and will extend the boundaries of the levee and channel portion of the project to better match growth that has taken place in the city of Merced. This willingness to remain flexible throughout the lengthy planning and design process is also a credit to the Corps and its staff.

The Merced County Streams Project is a modification and expansion of an earlier flood control project constructed between 1948 and 1957. It has undergone considerable review and modification since first authorized as part of the Flood Control Act of 1970. Approximately $15,000,000 has been spent to date on the Merced County Streams Project. This has been matched with local contributions of approximately $3,000,000. As partners in financing the construction of this project, we have worked closely with the Corps to establish an economic balance between costs and benefits. As a result of this combined effort, nonessential project components were first scaled back and eventually eliminated. This scaling to fit the economic reality resulted in substantial federal and local savings.

In January of 1993, and also in January and March 1995, Merced County received rains of heavy intensity. Considerable flooding occurred within the project area. Bear Creek overflowed its banks one mile southeast of Merced, and broke its banks approximately four miles southwest of Merced. Mariposa and Miles Creeks overflowed their banks in various areas southeast of Merced. Quick action by maintenance crews from the Merced Irrigation District, assisted by airmen from Castle Air Force Base, working around the clock for two days and nights, averted a major disaster in 1993. Castle Air Force Base has since been closed so help from this source will no longer be available.

The project has the support of state and local authorities and funding of the non-federal portion has been addressed.

We request the Committee's support for the inclusion of $900,000 in the 1996/97 budget as recommended by the California Water Commission and the Corps of Engineers, for the orderly progress of the Merced County Streams Project, which is so vital to the community, state, and the nation.

WEDNESDAY, MARCH 6, 1996.

KAWEAH RIVER

KAWEAH RIVER DELTA CORRIDOR ENHANCEMENT PROJECT

WITNESS

BRUCE GEORGE, MANAGER, KAWEAH DELTA WATER CONSERVATION DISTRICT

Ms. TENNIS. Bruce George, Manager of the Kaweah Delta Water Conservation District, is next.

Mr. GEORGE. Thank you, Mr. Chairman, Mr. Riggs, Mr. Fazio. In the spirit of being brief, I will summarize my comments.

We are requesting in fiscal year 1997, $1.3 million to fund the Corps of Engineers' preconstruction engineering and design for the Terminus Enlargement project. We are also asking the committee to provide $1 million for a seismic analysis to verify the stability of the dam. This project will provide 43,000 acre-feet of badly needed flood control and irrigation storage capacity for Lake Kaweah. This project is supported by local, city and county authorities, as well as the California Water Commission.

I also want to express the conservation district's support for dedicating $100,000 in Bureau of Reclamation funds to the Kaweah River Corridor Enhancement project. The California Water Commission supports these funding levels, and we thank you for your continued support of these projects.

Mr. MYERS. Thank you.

Ms. TENNIS. Thank you.

[The statement of Mr. George follows:]

Kaweah Delta Water Conservation District
2975 No. Farmersville Blvd., Farmersville, California 93223
P.O. Box 1247, Visalia, California 93279
(209) 747-5601

United State House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
the Honorable John Myers, Chairman
March 6, 1996

Testimony of Bruce George, Manager
Kaweah Delta Water Conservation District

Mr. Chairman and Members of the Subcommittee:

My name is Bruce George, and I am the Manager of the Kaweah Delta Water Conservation District in the eastern San Joaquin Valley of California. Thank you for the opportunity to present testimony regarding the Fiscal Year 1997 budget for the U.S. Army Corps of Engineers.

The Conservation District respectfully requests that Congress appropriate $1.3 million to the Corps in FY 97 for continuation of preconstruction engineering and design (PED) of a project to increase the water storage and flood control capacities of Terminus Dam at Lake Kaweah, California.

The Conservation District also requests that the Committee to provide $1 million in FY 1997 dam safety funding for a seismic testing and analysis program to verify the stability of Terminus Dam.

In addition, we urge the Committee to support the transfer of $100,000 in Bureau of Reclamation funds to the Kaweah Delta Corridor Enhancement Project.

Terminus Dam Enlargement Project

The Corps has not yet provided an estimate of its FY 1997 needs for the Terminus enlargement PED and seismic programs. However, the full cost for the currently scheduled 30-month PED program is $3.1 million, of which $200,000 was appropriated in FY 96. Maintaining the 30-month schedule requires an FY 97 appropriation of approximately $1.3 million. The California Water Commission supports an FY 97 appropriation of $1.3 million for Terminus PED.

The total cost of the dam safety analysis is approximately $2 million, with an estimated $1 million required in FY 97. The California Water Commission supports a FY 97 appropriation of $1 million for the dam safety study.

Funding of the PED program and dam safety study in FY 1997 also are supported by Representatives George Radanovich and Cal Dooley and Bill Thomas.

The Conservation District was formed in 1927 to conserve and protect the surface and groundwater of the Kaweah delta. The District serves 337,000 acres, which include the cities of Visalia and Tulare and several other incorporated and unincorporated areas in Kings and

Tulare counties. Those two counties consistently rank among the most productive agriculture counties in the nation.

Terminus Dam and Lake Kaweah, located on the Kaweah River three and one-half miles east of the District, was completed in 1962 by the U.S. Army Corps of Engineers. The purpose of the project is to provide storage space for flood protection and irrigation on the Kaweah River. The Conservation District manages the irrigation and flood control releases for Lake Kaweah, as well as assisting in the conjunctive use of the surface and groundwater of the Kaweah delta.

Rapid growth and inadequate flood protection in the region have created a need for greater reservoir storage space for flood control and irrigation storage. With a maximum capacity of 143,000 acre-feet, Lake Kaweah currently provides a less than 50-year level of flood protection for communities downstream.

In 1988, the Corps began a feasibility study for a project to enlarge Lake Kaweah. The project would add approximately 43,000 acre-feet of flood control and conservation storage space to the lake by widening the Terminus Dam spillway and raising it by 21 feet.

The Corps has nearly completed a draft feasibility report for the project, and the locally preferred alternative recommended in the draft report would provide a balanced project with environmental and other benefits. It is strongly supported by agricultural and recreational interests, and by local governments in the region, including Kings and Tulare counties, the City of Visalia and the Kaweah Delta Water Conservation District.

These local authorities have continued to pay half the cost of the $3 million feasibility study despite the fact that the original cost-sharing agreement signed by the Corps in 1988 was for a local contribution of only $800,000. The Corps has increased the total cost of the feasibility study three times since 1988, nearly doubling the original estimate of $1.6 million.

The Conservation District and other local authorities reluctantly agreed to share the cost increases because the Corps said that was the only way to continue the project.

California's growing population will place ever increasing demands on its water supply. Improving existing facilities such as Terminus Dam is one of the most economical and environmentally sensitive ways to meet those new demands. It is important for Congress to encourage such projects.

The Kaweah Delta Water Conservation District urges Congress to provide a level of FY 1997 funding to ensure that the Terminus enlargement project can be completed without further delay and additional unnecessary expenses.

Kaweah Delta Corridor Enhancement Project

The Kaweah Delta Corridor Enhancement project is intended to integrate long term groundwater recharge and flood control solutions with native habitat conservation and restoration along the Kaweah River. Of particular importance is the restoration and protection of Valley Oak riparian forests, which are unique in the San Joaquin Valley and are critically important wildlife habitat.

The project, now in its second phase, is being funded by the State of California and the Bureau of Reclamation. In FY 96, Congress authorized the Bureau to transfer $100,000 to the enhancement project through the National Fish and Wildlife Foundation. An additional $100,000 is required to continue the project in FY 1997.

The Conservation District respectfully requests that the Committee authorize the Bureau of Reclamation to transfer $100,000 from its FY 97 construction account to the Kaweah Delta Corridor Enhancement Project to fund costs attributable specifically to environmental enhancement.

Thank you.

WEDNESDAY, MARCH 6, 1996.

CALIENTE CREEK FLOOD CONTROL PROJECT

WITNESS

MARY K. SHELL, SUPERVISOR, COUNTY OF KERN

Ms. TENNIS. We have from the County of Kern, Mary Shell, Supervisor.

Ms. SHELL. Thank you. And good morning—good afternoon, Mr. Chairman, members of the committee.

Mr. MYERS. It is still morning.

Mr. RIGGS. Even by California time, it is still morning.

Ms. SHELL. I am glad to be here. And I am representing the County of Kern, the Kern County Water Agency and the—Lamont Stormwater District. And this project for Caliente Creek has been going on for—going on 13 years.

In the interest of time, I would—I am not going to go through my statement; it would take too much time. I have submitted it for your consideration and, I hope, approval. And we are asking for an allocation and for continued feasibility studies for Caliente Creek in fiscal 1997.

Thank you.

Mr. MYERS. Thank you.

[The statement of Ms. Shell follows:]

CALIENTE CREEK FLOOD CONTROL PROJECT

SUMMARY PAGE

MARCH 6, 1996

TO:

UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
THE HONORABLE JOHN MYERS, CHAIRMAN

FROM:

KERN COUNTY (CA) SUPERVISOR MARY K. SHELL
REPRESENTING THE COUNTY OF KERN, KERN COUNTY WATER AGENCY, AND THE LAMONT STORM WATER DISTRICT.

REQUEST:

SUPPORT FOR FY-97 BUDGET ALLOCATION OF $150,000 TO CONTINUE THE

CALIENTE CREEK FLOOD CONTROL STUDY

OFFICE OF THE
FIFTH DISTRICT
SUPERVISOR

MARY K SHELL

County of Kern

Bakersfield, California

March 6, 1996

United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable John Myers, Chairman

Mr. Chairman and Members of this Subcommittee:

I am Mary K. Shell, Supervisor of the Fifth District in Kern County, California. I am here today on behalf of the Kern County Board of Supervisors, Kern County Water Agency, and the Lamont Storm Water District to support an allocation of $150,000 for FY-97 for the Corps of Engineers to continue the Caliente Creek Flood Control Study.

The Caliente Stream Group has had eight major flood events since 1932. They have inundated homes, businesses, farmlands and transportation systems and caused in excess of $80 million in damage.

After the last serious flood in 1983, Kern County entered into a feasibility cost sharing study in 1985. Our county was one of the first in the nation to sign a federal cost-sharing agreement for feasibility studies. When the initial study indicated the project planned would not meet a cost/benefit analysis, a second feasibility study was initiated in 1992.

Some $3 million of a $4.1 million study have been expended so far. Our local taxpayers have contributed about $800,000 of this amount ---- nearly a third. I have attached a graph illustrating the expenditures by all agencies involved.

The Corps of Engineers has completed Phase 1 of the feasibility study and is three years into phase 2.

Because Phase I showed a weak benefit to cost ratio (1.2:1) and because of expected more restrictive Corps'financial standards, our local agencies have been conducting public meetings to receive input on the viability of continuing the Corps project. I am asking for an advisory election to determine local support for funding the local share of the project. We are planning to conduct this election in April or May.

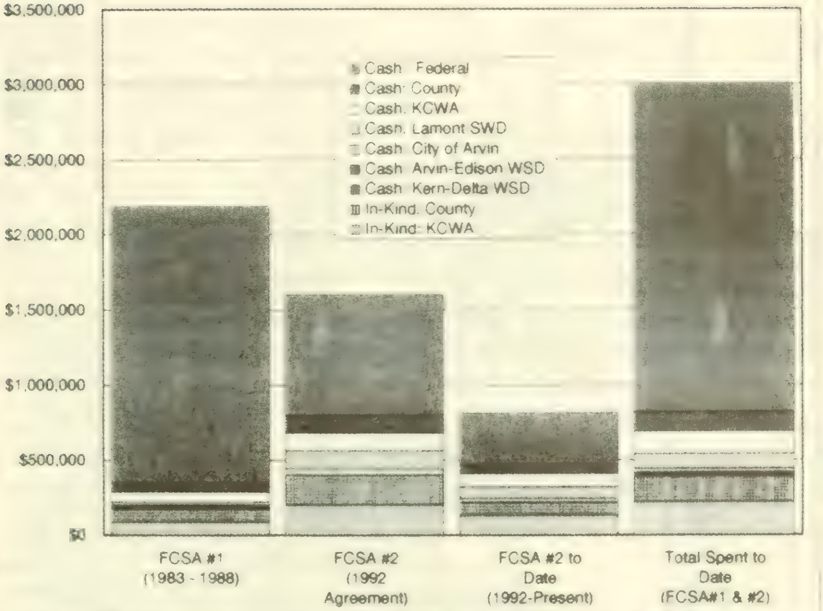
If this advisory election indicates continued strong support, we would like to continue with Phase II of the study, which would be completed in 1998.

Then, if found to be feasible, construction of the project would remove the 14,000 people of Lamont from the flood plain and provide them a sense of security. A majority of the Lamont residents are farm workers.

I appreciate your time and attention.

Caliente Flood Control Project
Cost Sharing

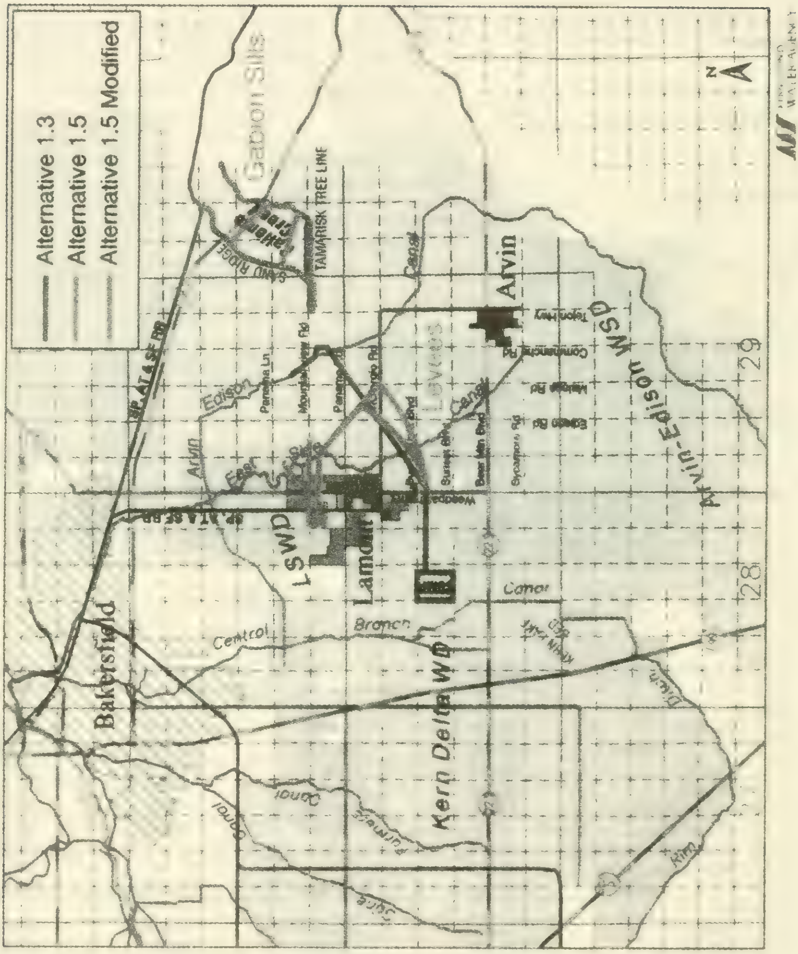
Oct-95



	FCSA #1 (1983 -1988)	FCSA #2 (1992 Agreement)	FCSA #2 to Date (1992 to Present)	Total Spent to Date (FCSA #1 & #2)
Cash:				
Federal	1,840,000	800,000	340,000	2,180,000
Subtotal	**1,840,000**	**800,000**	**340,000**	**2,180,000**
County	65,000	120,000	67,310	132,310
KCWA	65,000	120,000	87,490	152,490
Lamont SWD	20,000	120,000	77,400	97,400
City of Arvin	-	40,000	25,800	25,800
Arvin-Edison WSD	15,000	-	-	15,000
Kern-Delta WSD	10,000	-	-	10,000
Subtotal	**175,000**	**400,000**	**258,000**	**433,000**
In-Kind:				
County	87,000	200,000	83,454	170,454
KCWA	87,000	200,000	132,421	219,421
Subtotal	**174,000**	**400,000**	**215,875**	**389,875**
TOTAL	**$ 2,189,000** ⁽¹⁾	**$ 1,600,000**	**$ 813,875**	**$ 3,002,875**

1) Includes reconnaissance.

Caliente Creek Flood Control Project



WEDNESDAY, MARCH 6, 1996.

NAPA RIVER FLOOD CONTROL PROJECT

WITNESS

PAUL BATTISTI, CHAIRMAN, NAPA COUNTY FLOOD CONTROL DISTRICT

Ms. TENNIS. Thank you. Now from Napa County Flood Control District, Paul Battisti, Chairman.

Mr. BATTISTI. Thank you, Mr. Chairman.

Mr. RIGGS. Before you begin, I will exercise the prerogative of the acting chair for just a moment to also introduce my good friends and constituents, the Chair of the Napa County Board of Supervisors is Mayor Ed Solomon, City of Napa. And I believe Jed—I know Jed Christiansen is here, because I just talked to Jed; and the Director of Finance for the City of Napa, Jay Hull; and the County Administrator for Napa County, for the—are Ken Johanson and David Dickson in the room—also from the County of Napa.

It is nice to have all of these gentlemen with us to testify today before the subcommittee.

Ms. TENNIS. Thank you.

Mr. BATTISTI. Thank you, Mr. Chairman. You took the time that I would have taken for the introductions and I appreciate it. It gives me more time then.

Mr. RIGGS. Well, I am sorry.

Mr. BATTISTI. Well, that is quite all right. It gives me more time then.

Ms. TENNIS. No, it doesn't.

Mr. BATTISTI. And to justify that, I will say——

Mr. RIGGS. You take all the time you need.

Mr. BATTISTI. The written statement is on file. Our request is for $950,000 for preconstruction and design for fiscal year 1997, and $2.1 million for dredging, which is necessary before construction can start in 1998.

Last year at this time, I testified in terms of the devastating floods that we had suffered just weeks before I arrived here. At that time, flooding resulted in damage of nine— $85 million; this is in addition to the flooding damage in 1986 and 1993 of $110 million. So you can see that our request in this particular case and the total cost to the project, as envisioned, will be a great investment for the State of California, Napa County and the Federal Government.

I want to say that the draft GDM and the EEI are—and EIS was issued in the spring of last year. It resulted in many comments that require us to take another look and refine this project with the assistance of the Corps of Engineers. As a result of that, our construction start has been extended to 1998, and we ask your support of these requests.

And thank you for your past support, particularly Mr. Riggs.

Mr. RIGGS. My pleasure. And, Paul, thank you and the other representatives of Napa local government for traveling all the way back here today to testify before the subcommittee. Obviously, with this project being located in my congressional district, it is extremely important to me and I hope that concern is shared by my colleagues on the subcommittee. In fact, I am sure it is.

Mr. BATTISTI. Thank you. How was that for time?

Ms. TENNIS. That was great. Thank you.

[The statement of Mr. Battisti follows:]

NAPA COUNTY

FLOOD CONTROL AND WATER
CONSERVATION DISTRICT

1195 THIRD STREET • ROOM 201 • NAPA, CALIFORNIA 94559-3092
PHONE 707-253-4351 • FAX 707-253-4627

KENNETH H. JOHANSON
District Engineer

STATEMENT REGARDING FISCAL YEAR 1997 APPROPRIATIONS

FOR

NAPA RIVER FLOOD CONTROL PROJECT
NAPA RIVER NAVIGATION DREDGING

TO: United States House of Representatives
Committee on Appropriations
Subcommittee on Energy & Water Development

Honorable John T. Myers, Chairman

SUMMARY
RECOMMENDATIONS

PROJECT	***FUNDING REQUEST***
NAPA RIVER FLOOD CONTROL	$1,000,000
Design	
NAPA RIVER NAVIGATION DREDGING	$2,100,000
Maintenance	

Respectfully submitted,

Paul Battisti, Chairman
Board of Supervisors
Napa County

NAPA RIVER FLOOD CONTROL PROJECT

Background and Present Status

Background:

The Napa River is the main waterway into which all tributaries of the Napa Valley flow. The River reaches its highest flow and the main point of concentration of stormwater in the heart of the downtown city of Napa.

The original town of Napa was established at the head of the navigable Napa River channel in 1848 as its only port for transportation and commerce until the railroad extended from Benicia to Napa in 1902.

The Napa River has damaged the City of Napa 12 times in the past 50 years and the River's most damaging flood of record occurred in February 1986 causing losses in excess of $100 million, 3 lives lost, and evacuation of 3,500 residents.

Flood damage in downtown Napa has recurred in January 1993 and January 1995 resulting in disaster declarations and substantial Federal assistance and economic losses, re-affirming the urgent need to implement this cost-effective project. In March 1995 another disaster level flood occurred and FEMA is currently surveying damage.

Damages throughout Napa County totaled about $85 million from the January and March 1995 floods, $10 million and $75 million, respectively. The floods resulted in 227 businesses and 843 residences damaged county-wide.

Locally developed flood measures currently in place provide minimal protection and include levees, floodwalls, pump stations, upstream reservoirs, restrictive flood plain management ordinances, and designated flood evacuation zones. Vast areas of flood plain are restricted to agricultural and open space uses, precluding development which would be damaged by flooding. These local measures still leave most of the city of Napa vulnerable to frequent damaging floods.

After exhaustive review of alternatives, the Corps in the spring of 1995 released its Supplemental General Design Memorandum (GDM) and Supplemental Environmental Impact Statement (EIS) for comments. The GDM plan was met with substantial comments from the local community and resource agencies. As a result, the local sponsor in connection with the community and the Corps of Engineers is conducting a 6-month community consensus process to identify an acceptable redesign of the project. The Corps has currently suspended work on the plan until community effort is complete. The pending Corps plan concentrates its benefits on a 5 1/2 mile reach of the Napa River passing through the older, most highly developed downtown business and residential districts. This plan would protect approximately 3,500 land parcels from the 100 year flood event on the Napa River and its main connecting tributary, the Napa Creek. The Corps' calculation of Benefit to Cost Ratio for this plan is 1.37 to 1 and is estimated to produce a net savings of over $4 million per year over the projected 100 year life of the project improvements. This plan will be refined by the local redesign effort and incorporated into Corps' documents.

The dynamic community consensus process involves a broad cross-section of local interests from architects to hydrologists and vineyard owners who will be looking at a series of identified design alternatives for the project. The Corps is actively involved in the partnered effort dedicating its resources and experience to the local effort.

We understand that the Corps' support of this effort is approximately $350,000 of its current year planning and design budget. The local commitment is $300,000 in staff and consultant resources. The local commitment is a partnering of the County Flood Control District, the City of Napa, the Napa Valley Chamber of Commerce, the Napa Valley Economic Development Corporation, and the Friends of the Napa River, a private non-profit organization. The goal is to develop a local consensus on an acceptable and approvable project the community can afford by June of 1996. The Corps would then incorporate this redesign into its GDM and EIS. The local sponsor's goal is to initiate a new construction start for the project in FY 1998.

One of the identified alternatives now under consideration in the redesign effort is a watershed management approach to the project. While this approach could offer benefits especially to the upper watershed reaches, a separate compatible study effort may be considered to look at the whole watershed, as the project proceeds. The County looks forward to working with the Committee as this develops.

Project Synopsis

In 1986, the community requested the Corps to reactivate an earlier study. This re-definition of the problem downsized the earlier concept design from a 12 mile reach to 5 1/2 miles; substituted channel improvements on Napa Creek for an earlier upstream reservoir, and incorporated environmental mitigations and a cost-shared recreation-trail element into its design. To accelerate the process, the City of Napa retained planning consultants, and jointly with the U.S. Park Service and a broad-based technical committee, including the Corps, developed a park and recreation master plan, downtown waterfront restoration plan and trails plan to identify the local elements.

As of this writing, work on the GDM and SEIS has been suspended by the Corps pending the completion of the local redesign effort. Once the consensus plan is identified, the Corps will incorporate these elements into the SGDM and SEIS. The revised draft GDM and EIR/EIS will be published for public review and comment in January of 1997.

FY 1996 Funding

The 1996 budget included $787,000 to prepare the draft General Design and environmental review process, complete environmental and water quality studies, and finalize sediment/control features.

Necessary FY 1997 Funding

Funding for the Napa River project during 1997 in the amount of $1,000,000 is needed to complete the design and environmental review and to finalize the Project Cooperation Agreement (PCA) to begin construction of the downstream reach in 1998.

Recommendation:

Based on continuing high flood risk and severe damage from the Napa River, we request that the committee support $1,000,000 to complete design and environmental review of the Napa River Project.

NAPA RIVER FLOOD CONTROL, CALIFORNIA PROJECT BACKGROUND

March 1996

The Sacramento District, US Army Corps of Engineers (Corps) is working in partnership with the Napa County Flood Control and Water Conservation District (NCFC&WCD) and the City of Napa to control flooding along the Napa River and Napa Creek. NCFC&WCD is the local sponsor for flood control and the City of Napa is the local sponsor for recreation. The Corps is working on the preliminary design phase and will incorporate the consensus-based redesign in its design documents. Over the years, alternative flood control plans have been compared. In May 1993, representatives from the City, County, Sacramento District Corps and higher Corps levels met to identify which of the alternative plans is the "best" plan. The Corps call this "best" plan, the National Economic Development (NED) plan. The NED plan must be economically justified, environmentally sensitive and locally accepted. In July 1994, an administrative draft Supplemental General Design Memorandum (SGDM)/Supplemental Environmental Impact Statement/Environmental Impact Report (SEIS/EIR) was completed and sent to higher Corps levels and the local sponsor for review. The draft SGDM/SEIS for public review and comment were developed based on the review of the administrative draft, received numerous comments and as a result, will be refined based on the local consensus product.

The Corps is working with the U.S. Fish & Wildlife Service and the California Department of Fish &Game to ensure that any loss of riparian vegetation and shaded riverine aquatic habitat will be compensated. A combined draft SEIS/EIS will be refined by the Corps as a result of the redesign with assistance from the city and county. The SEIS/EIR discusses impacts to fish and wildlife resources, riparian, wetlands and upland vegetation, water and air quality, recreation, endangered species, land use, socioeconomic, aesthetic impacts and cumulative impacts. The draft SEIS/EIR will be released again for public review and comment once the consensus process is complete.

After the final SGDM and SEIS/EIR are approved, the construction drawings will be prepared. The Project Cooperation Agreement will be negotiated and signed by the local sponsors and the Corps. Once construction funds are appropriated and real estate is acquired, construction can begin. The sponsor is working to ensure that construction of the flood control features will start in Fiscal Year 1998.

Design Refinements Under Review

As previously discussed, the local sponsor in coordination with the community and the Corps has initiated an aggressive redesign effort. The community redesign effort will review the following design alternatives to reach consensus on an acceptable plan which can be approved by the Corps and supported by the sponsor and community.

- ***Upstream Dams and Reservoirs***

  The Coalition is now determining hydrologic benefits that can accrue to downstream properties, including the City of Napa from dams, reservoirs or a combination of storage alternatives upstream of the City of Napa.

- ***Watershed Management***

  The focus is on determining hydrologic benefits that can accrue to downstream properties, including the City of Napa, from implementation of a comprehensive watershed management program involving creation of wetlands, agricultural property setback levees, planting of cover crops and other elements.

- ***Oxbow/Downtown Alternatives***

  The Committee is reviewing oxbow design alternatives which can convey 100 year flood waters through this reach of the river, including current Corps design, widened oxbow (no by-pass) and a dry by-pass. This effort will identify key downtown issues, such as bridges,

  downtown land use plans, circulation and other things. The Committee will also review Napa Creek issues.

South of Third Street River Restoration

The review will consider the widened, terraced, three stage channel design alternative for its ability to convey 100 year flood waters from Third Street to Kennedy Park. It will define and identify options for river restoration and identify toxic and design issues for Riverside Drive area.

Concurrent with review of the design alternatives and working with the resource agencies, the Committee will develop minimum and preferred standards for water quality, fish and riparian habitat, including quantitative measures regarding oxygen, salinity, temperature and other areas pertinent to the Napa River project. Each alternative design recommended will be reviewed to determine the economic and regulatory feasibility within the current Corps of Engineers authority, cost/benefit analysis and the resulting impact on the local share of cost and financing plan. In addition, a compatible recreation plan will be incorporated into the final design. The plan will expand upon existing community features and create new recreation opportunities taking advantage of the watercourse setting.

THE NAPA RIVER TIME SCHEDULE AND CURRENT STATUS

Initiation of Preconstruction Engineering and Design (PED)	Oct. '88	Completed
General Design Conference	Jan. '89	Completed
Public Hearing	May '89	Completed
Public Scoping Workshop	Jun. '89	Completed
Inter-Agency Constraints and Concerns Workshop	Aug. '89	Completed
Napa City Council sponsors Recreation Component	Sep. '89	Completed
"Information Paper No. 1" Concept Design released for local task force and Division Review	May '90	Completed
Public/Technical Review of Alternatives and Recreation Element	Apr. - Aug. '91	Completed
In-Progress Review, Alternatives, HTW Schedule and Cost Revisions	Aug. '92	Completed

Identify National Economic Development (NED) Plan	May '93	Completed
Technical Review, Administrative Review Draft Design Document (GDM) - EIS-EIR	Aug. -Dec. '94	Completed
Publish Draft GDM/EIS-EIR	Mar. '95	Pending
Republish Draft GDM/EIS-EIR	Jan. '97	
Sign Project Cooperation Agreement (PCA)	Nov. '97	
Initiate Plans and Specs	July '97	
Begin Construction	May '98	

NAPA RIVER NAVIGATION DREDGING

Background

It has been 8 years since the last channel maintenance dredging was performed. In September, 1988 the channel was restored to a depth of 10" at a width of 75' from Third Street to the Kennedy Park launch ramp; and a depth of 15' at a 100' width from the Kaiser Drydocks/Basalt Barge wharf to Good Luck Point for a total distance of approximately 8 nautical miles.

The channel has historically served as a commercial shipping corridor for transport of large-scale steel and concrete fabricated products including: ship hulls, oil exploration and production platforms, and large diameter pipe. The Bay Area Rapid Transit System's trans-bay tube which carries the San Francisco-Oakland rail mass transit system under and across San Francisco Bay was manufactured in Napa, floated down the Napa River and installed in the Bay. Large quarried rock for harbor and breakwater construction move through the system, as well as raw chrystalline salt for chemical manufacturing. Local riverside manufacturing facilities may also present unique opportunities for serving the seismic bridge and highway reconstruction projects being planned for the western U.S. by the Federal Highway Administration.

The River is one of few navigable rivers on the Western U.S. Coast and is a strategic asset for the expanding Pacific Rim Marketplace. The Napa River channel is complemented by state and locally constructed and maintained lift bridges (1 highway and 1 railway) and a high elevation-high clearance fixed highway bridge to accommodate ship traffic.

In addition, there are private boat harbors, 1 marina, 4 ship dry docks and numerous boat launch and mooring facilities along the maintained reach of the river channel. All of the above mentioned facilities and uses are important to the local economy.

Present Status

The Napa River Navigation channel was surveyed in August 1993 and was found to have shoaling and blockage of the channel between Good Luck Point and the Third Street Bridge. Federal funds were budgeted in FY '94 and the permitting and bidding process was underway targeting a dredging project for September 1994, when the process was halted by order of the U.S. Fish and Wildlife Service (USF&WS) for evaluation of the main disposal site at John F. Kennedy Park for possible presence of the Salt Marsh Harvest mouse, a Federally listed endangered species.

The San Francisco District Office of C.O.E. consulted with USF&WS and conducted a trapping program in July - August 1995 which found that the subject mouse was not present. These findings were provided to USF&WS which on October 18, 1995 responded in writing to the negative findings of the trapping program, stating in essence that the disposal site is not now subject to their restriction. However, the trapping program and USF&WS consultation delayed the project beyond the 1995 reconstruction cycle.

Project Synopsis

Condition surveys in 1993 and 1994 indicate worsening of shoaling and in 1995 and thus far, this year the River has experienced 3 storm flows estimated to be approximately 50-year flood events creating further deterioration of the navigation channel.

Necessary FY 1997 Funding

Plans and specifications and all environmental clearances and approvals are in place - the project is ready to go if there is funding. $2.1 million is estimated to be the cost of dredging to remove approximately 250,000 cubic yards of sediment. We understand that this project is not included in the Administration's FY '97 budget proposal. However, this funding is needed to provide access for critical navigation for commerce and industry in the region. In addition, this dredging work is needed as a base condition of the Napa River flood control project. The City of Napa is supporting this work to promote tourism, a key commercial activity in the area.

Recommendation:

Request an add of $2.1 million to the Corps of Engineers' budget to fund the maintenance dredging of the Napa River Flood Control channel from Third Street to Good Luck Point for FY 1997.

WEDNESDAY, MARCH 6, 1996.

SAN CLEMENTE CREEK PROJECT

WITNESS

NORMAN RICHARDSON, MAYOR, TOWN OF CORTE MADERA

Ms. TENNIS. Now we have Norman Richardson, Mayor of the Town of Corte Madera.

Mr. RIGGS. Mayor, how are you?

Mr. RICHARDSON. Thank you. Good morning.

Mr. Chairman, I have submitted written testimony for the San Clemente Creek Flood Control project, and my brief remarks will supplement that testimony.

First, I would like to thank you and this committee. You have gone out of your way and have seen fit to support this very difficult project. The interest of this distinguished committee over the last five years has achieved results. The Town Council of Corte Madera is very grateful and thanks you for your continuing support.

We are now approaching preconstruction engineering and design. Although my written testimony states $800,000, we are respectfully requesting $900,000 for this phase. We are concerned about maintaining continuity and urge that the Corps not be allowed to reprogram these funds to another project. I would also like to state that the town has been cost-sharing with the government and is prepared to continue cost-sharing.

I would like to introduce our Mayor—Vice Mayor, Sandra Marker, who is also here today.

Mr. RIGGS. Vice Mayor, how are you? Nice to have you here.

Mr. RICHARDSON. The Town of Corte Madera thanks you and this committee for its support.

Mr. RIGGS. Thank you for your testimony. I am sorry I was distracted for just a moment. I have a conflicting markup going on in another committee and we are trying to coordinate schedules right now. Plus, we have a vote on the House Floor, so let me explain that that is where my colleagues have gone. As soon as they return, I am going to go to vote so that we don't lose any of our precious time here.

Ms. TENNIS. I understand. Thank you.

[The statement of Mr. Richardson follows:]

United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable John Myers, Chairman

STATEMENT OF NORMAN RICHARDSON, MAYOR
TOWN OF CORTE MADERA, CALIFORNIA

Good Morning! My name is Norman Richardson and I am the Mayor of Corte Madera, California.

I have come before you this morning to respectfully request that this Subcommittee support a budget allocation in FY 97 of $800,000 for the **Pre-construction Engineering and Design** of the San Clemente Creek Tidal Storm Damage Reduction Study. The project is listed under **Marin County Shoreline - San Clemente Creek**

As most of you know, the Town of Corte Madera is located on San Francisco Bay just north of the Golden Gate Bridge. This area is an ideal Bay-side location in which to live.

Unfortunately, the Town's location on San Francisco Bay has placed us at the mercy of serious tidal flooding problems. This flooding occurs in the area along San Clemente Creek and is caused by a combination of ground subsidence, high tides and storm water runoff. Tidal flooding can even occur in dry weather. And it is predicted to increase with the passage of time because the area is settling as the bay mud which lies underground continues to consolidate.

The Town of Corte Madera is committed to maintaining the community's safety and quality of live. To that end, the Town and the U. S. Army Corps of Engineers negotiated a Cost Sharing Agreement to conduct a Feasibility Study to define the flooding problem and develop a plan for Congressional action.

The Town Council approved the Cost Sharing Agreement and has budgeted funds to pay its full share of all local costs.

Last year, with the assistance of our Congresswoman, Lynn Woolsey, the Town secured funding to complete the Feasibility Phase of the study and to provide for a seamless transition into the Pre-construction Engineering and Design Phase.

This year, the California Water Commission is recommending that $800,000 be included in the President's FY 97 Budget to complete the Pre-construction Engineering and Design Phase. I respectfully request that you support a FY 97 budget allocation of $800,000 for the Marin County Shoreline - San Clemente Creek Study.

Thank you very much for your kind attention and continuing support for this important project.

TEST96.NRH

WEDNESDAY, MARCH 6, 1996.

SANTA CLARA VALLEY WATER DISTRICT PROJECTS

COYOTE AND BERRYESSA CREEKS PROJECTS

GUADALUPE RIVER PROJECT

UPPER GUADALUPE RIVER PROJECT

UPPER PENITENTIA CREEK PROJECT

SAN JOSE AREA WATER RECLAMATION AND REUSE PROGRAM

SAN FRANCISCO AREA WATER RECLAMATION STUDY

WITNESSES

JOE JUDGE, CHAIR, SANTA CLARA VALLEY WATER DISTRICT
STANLEY M. WILLIAMS, GENERAL MANAGER, SANTA CLARA VALLEY WATER DISTRICT

Ms. TENNIS. Stanley M. Williams is the General Manager of Santa Clara Valley Water District.

Mr. WILLIAMS. Mr. Chairman, I wanted to talk about four projects with you real quickly this morning. We are the local sponsor, as the water district, for four projects with the Corps of Engineers. These are located in Santa Clara County. The City of San Jose is our largest city, and is also known as the Silicon Valley area.

The first project is the construction of the Lower Guadalupe River project. It has been under way. Unfortunately, is not yet completed. We are looking for $12.5 million for construction this year. The project was not in place yet, and we did have flood damage in that downtown San Jose area last year with those winter floods that caused considerable damage in California. A bit further up that same watershed, on the upper part of the Guadalupe River, we are looking for 500,000 as the Federal portion of the study cost to complete the feasibility study on that project.

Last year, when we were here on these same four projects, we could have told you that all together they account for the prevention, if they were completed, of flood damages for a 1 percent flood, about a billion dollars.

The good news is, one of the projects this year has been completed, and that is the Coyote Creek project; and they are we are looking for $2.4 million to complete the environmental mitigation as a local—the responsibility for the project, the planting of riparian vegetation. The good news is that that project is in place now and would reduce that $1 billion by $250 million alone. So that is the good news.

And in fact the other part of that good news is, that project was completed essentially in about a 12-year period, which, as you know, for a Federal/local-sponsored project is a real rapid time period.

Finally, we have got—the fourth project is the reconnaissance study on the Upper Penitentia Creek. This is really just getting started, and we are looking for $650,000 there to continue that reconnaissance study.

We are also the water supply agency for Santa Clara County. In that respect, we are also recommending and requesting the committee's support for a couple of water reclamation projects in our area. That is both the San Jose Area Water Reclamation and Reuse project and the San Francisco Area project.

We really appreciate the support this committee has given us and we feel like we have been very successful so far in this partnership with the Federal Government and local sponsors.

Thank you.

Mr. RIGGS. Thank you very much for this testimony.

Now, these are the four projects that Congresswoman Eshoo testified about earlier; is that right?

Mr. WILLIAMS. Right.

Ms. TENNIS. Thank you.

[The statement of Mr. Judge follows:]

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AN AFFIRMATIVE ACTION EMPLOYER

STATEMENT OF

Joe Judge

Chair/Board of Directors

Santa Clara Valley Water District

San Jose, California

March 1996

Before the

United States House of Representatives

Committee on Appropriations

Subcommittee on Energy and Water Development

The Honorable John Myers, Chairman

OFFSET
CAMERA COPY

SUMMARY

THE STATEMENT URGES THE COMMITTEE'S SUPPORT IN THE AMOUNT OF $12.5 MILLION TO CONTINUE CONSTRUCTION OF THE GUADALUPE RIVER PROJECT.

recycled paper

Statement of Support
for FY 1996-97
Appropriations
Guadalupe River Project
March 1996

R9928

GUADALUPE RIVER PROJECT

BACKGROUND

The Guadalupe River is one of the major waterways that flow through the highly developed area of San Jose, California. Historically, the river has flooded the downtown areas of San Jose and Alviso beyond local capability to prevent. For example, estimated damages from a 1 percent flood that would inundate the urban center of San Jose, is $526 million. It is estimated that a 2 percent flood on this river would cause $234 million worth of damage under existing conditions. The probability of such a flood occurring before implementation of flood prevention measures is quite high. A 2 percent flood has an 18 percent chance of occurring during a 10-year period; a 1 percent flood has about 10 percent chance of occurring during this same period. There is strong potential, therefore, that a damaging flood will occur before the problem can be resolved. The Guadalupe River had started to overflow its banks in April 1982 and January 1983 before the storms receded and avoided major damage. The Guadalupe River did overbank in February 1986 and most recently, on January 9, 1995, and March 10, 1995, causing damages to residences and business in the St. John and Pleasant Street area of the downtown.

PROJECT SYNOPSIS

In 1971, the community requested the Corps of Engineers (Corps) to reactivate its earlier study. The Plan of Study was completed in 1973. The initial problem definition and alternative screening was completed in 1974. More detailed problem definition and alternative studies for the Guadalupe River were completed in 1978. The Stage 2 report was completed in 1980 for the combined Guadalupe River, Coyote Creek and Baylands. The report at that time established the economic feasibility and federal interest in the Guadalupe River.

The Guadalupe River project received authorization for construction under the Water Resources Development Act of 1986. Since that time, the final General Design Memorandum (GDM) was completed in 1992, the local cooperative agreement was executed in March 1992, construction of the first phase of the project was completed in August 1994, and a construction contract for the second phase of the project was awarded in July 1994.

In an effort to accelerate the completion of this project, the local community through the Santa Clara Valley Water District has provided a substantial amount of technical and financial assistance since 1972. The local community has initiated local projects within the Corps' project reach and reaches downstream of the Corps limits. In excess of $30 million in local funds has been spent on the planning, design and construction of such improvements to date.

FY 1996 FUNDING

The 1996 Budget includes $8.1 million to continue construction of the Guadalupe River Project. Construction of Contract 1 was completed in August 1994. Construction of Contract 2 is proceeding and scheduled to be completed in August 1996. Contract 3 of the project is scheduled to be advertised in January 1997 and be completed in March 1998.

NECESSARY FY 1997 FUNDING

Funding for the Guadalupe River project during 1997 in the amount of $12.5 million to continue construction is essential to providing critically needed flood protection to the metropolitan area of San Jose and the north San Jose community of Alviso.

RECOMMENDATION

Based upon the present high flood risk and potential damage from the Guadalupe River, it is requested that the Committee support $12.5 million that is included in the Administration's budget to continue construction of the Guadalupe River project.

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STATEMENT OF

Joe Judge

Chair/Board of Directors

Santa Clara Valley Water District

San Jose, California

March 1996

Before the

United States House of Representatives

Committee on Appropriations

Subcommittee on Energy and Water Development

The Honorable John Myers, Chairman

SUMMARY

THE STATEMENT URGES THE COMMITTEE'S SUPPORT IN THE AMOUNT OF $500,000 TO COMPLETE THE FEASIBILITY STUDY ON THE UPPER GUADALUPE RIVER PORTION OF THE GUADALUPE RIVER PROJECT.

recycled paper

Statement of Support
For FY 1996-97
Appropriations
Upper Guadalupe River Project
March 1996

R9928

UPPER GUADALUPE RIVER PROJECT

BACKGROUND

The Guadalupe River is one of the two major waterways that flow through the highly urbanized area of Santa Clara County, California. Historically, the river has flooded the central district of San Jose and areas south beyond local capability to prevent. For example, the estimated damages from a 1 percent flood, which would inundate the urban center of San Jose, is $527 million. Damages in the Upper Guadalupe River's densely residential floodplain south of Highway 280 would exceed $114 million. The probability of a large flood occurring before implementation of flood prevention measures is quite high. A 2 percent flood has an 18 percent chance of occurring during a 10-year period; a 1 percent flood has about 10 percent chance of occurring during this same period. There is strong potential, therefore, that a damaging flood will occur before the problem can be resolved. The Upper Guadalupe River near Alma Street had started to overflow its banks in February 1980 before the storm receded and avoided major damage. The Upper Guadalupe River did overbank in March 1982, January 1983, February 1986, and again in January 1995, and March 10, 1995, causing damage to several residences and businesses in the Alma Street and Willow Street area. The flooding of January 9, 1995, and March 10, 1995, closed Highway 87.

STUDY SYNOPSIS

In 1971, the community requested the Corps of Engineers (Corps) to reactivate its earlier study. The Plan of Study was completed in 1973. The initial problem definition and alternative screening was completed in 1974. More detailed problem definition and alternative studies for the Guadalupe River were completed in 1978. The 1980 Stage 2 report established the economic feasibility and federal interest in the Guadalupe River only between Highway 880 and Highway 280. In light of flooding in 1982 and 1983, the local sponsors requested that the Corps reopen its study of the Upper Guadalupe River (upstream of Highway 280). The Corps completed a reconnaissance study in November 1989 which established that there was an economically justifiable alternative solution to the flood problem. The report recommended proceeding to the feasibility study phase. A Feasibility Cost-Sharing Agreement (FCSA) was signed by the local sponsor and the Corps on October 16, 1990 and amended in December 1992. The milestone F4 conference resulted in a reformulation of the project alternatives. A new FCSA was signed in July 1995. The new estimate is for a $5.0 million study scheduled for completion by 1997. Based on the risk-based analysis completed in January the NED plan would be the 50-year level of flood protection. Project cost would be $46 million. The local sponsor strongly feels that there are adequate overriding and compelling reasons favoring selection of a higher level of protection (100-year) as the NED plan.

FY 1996 FUNDING

A feasibility investigation on the Upper Guadalupe River continued in 1996 with funding in the amount of $285,000.

NECESSARY FY 97 FUNDING

Funding for the Upper Guadalupe River project during 1997 in the amount of $500,000 to complete the feasibility study effort is essential to timely implementation of critically needed flood protection.

R9928

RECOMMENDATION

Based upon the present high flood risk and potential damage from the Upper Guadalupe River, it is requested that the Committee support $500,000 for 1997 to complete the feasibility study on the Upper Guadalupe River. Costs of the study are shared equally between the sponsor and the Corps.

R9928

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STATEMENT OF

Joe Judge

Chair/Board of Directors

Santa Clara Valley Water District

San Jose, California

March 1996

Before the

United States House of Representatives

Committee on Appropriations

Subcommittee on Energy and Water Development

The Honorable John Myers, Chairman

SUMMARY

THE STATEMENT URGES THE COMMITTEE'S SUPPORT IN THE AMOUNT OF $2.4 MILLION TO COMPLETE CONSTRUCTION OF THE COYOTE CREEK PROJECT AND COMPLETE GDM PREPARATION AND DESIGN FOR BERRYESSA CREEK PROJECT.

recycled paper

Statement of Support
For FY 1996-97
Appropriations
Coyote/Berryessa Creek Projects
March 1996

R9928

COYOTE/BERRYESSA CREEK PROJECTS

BACKGROUND

The Coyote and Berryessa Creeks investigation was authorized by Congress in 1941 under the Guadalupe River and Adjacent Streams authority. Coyote Creek is one of the two major waterways that flow through the highly urbanized areas of San Jose, Milpitas and Santa Clara County, California. Berryessa Creek flows through a small portion of San Jose and the growing community of Milpitas. Historically, Coyote Creek has flooded the north San Jose community of Alviso beyond local capability to prevent. Damages on Coyote Creek would be $250 million during the 1 percent event to the north San Jose and Milpitas area. Berryessa Creek would cause $52 million in damages to the homes and industries of Milpitas and San Jose. The probability of a large flood occurring before implementation of flood prevention measures is quite high. A 2 percent flood has an 18 percent chance of occurring during a 10-year period; a 1 percent flood has about 10 percent chance of occurring during this same period. There is strong potential, therefore, that a damaging flood will occur before the problem can be resolved. In January 1983, floodwaters escaped from Berryessa Creek and caused damage to several homes and businesses. Coyote Creek has caused the greater damages amounting to several million dollars, overbanking in April 1982 and again in March 1983. Hundreds of people were forced to evacuate their homes where floodwaters stood for many days. Flood damages were avoided in January and again in March 1995 due to the protection offered by the substantially completed Coyote project.

PROJECT SYNOPSIS

In 1971, the community requested the Corps of Engineers (Corps) to reactivate its earlier Guadalupe River and Adjacent Streams Study which included Coyote Creek. The Plan of Study was completed in 1973. The initial problem definition and alternative screening was completed in 1974. More detailed problem definition and alternative studies were completed in 1978. The third phase, study of freshwater flooding in the Baylands, (which included the lower reaches on Coyote Creek) was completed in 1979. The Stage 2 report could not establish the economic feasibility and federal interest in Coyote Creek. In light of flooding in 1982 and 1983, the Corps refocused its study on Coyote Creek to address the inadequate level of protection provided by unstable levees. Berryessa Creek originally was a Section 205 study but was combined with Coyote Creek when the project cost exceeded the limits of that program.

In an effort to accelerate the completion of this overall program, the local community through the Santa Clara Valley Water District has provided a substantial amount of technical and financial assistance since 1972. Special planning studies have been completed by the District for inclusion into the Corps' studies. The Coyote/Berryessa Creek project received authorization for preconstruction, engineering and design under the Water Resources Development Act of 1986. The project was authorized for construction under the Water Resources Development Act of 1990. The Project Cooperation Agreement for Coyote Creek was executed in August 1994.

The severe flood problem and the ominous threat of future damages has forced the local community to initiate a local project on Coyote Creek in anticipation of future federal participation. Over $30 million has been spent on the planning, design and construction of improvements on Coyote Creek to date, which are planned for augmentation of and incorporation into the federal project. The Chief of Engineer's February 1989 report contained $8.63 million Section 104 credit for flood control measures undertaken by the Water District from San Francisco Bay to Milpitas Sewage Treatment Plant. Congress authorized, in the Water Resources Development Act of 1988 (PL 100-676), $3 million in reimbursement to the Water District for construction of flood control measures upstream of the Milpitas Sewage Treatment Plant. The District has completed this work. A Section 215 agreement was executed with the Corps in

December 1993 which provides additional $3 million for the sponsor to design and construct approximately 7,000 feet long of Coyote Creek upstream of Highway 237 in the cities of San Jose and Milpitas. The flood control improvements were completed in February 1996. The remaining project work consists of establishing over 20 acres of riparian mitigation.

FY 1996 FUNDING

The 1996 Budget included $12.0 million to continue Preconstruction Engineering and Design (PE&D) on Berryessa Creek and continue construction on Coyote Creek. The Corps awarded the Coyote Creek construction contract in September 1994 which was completed in February 1996.

NECESSARY FY 97 FUNDING

Construction funding for the Coyote/Berryessa Creek projects during 1997 in the amount of $2.4 million as contained in the Administration's budget will be required to complete construction of the Coyote Creek project and complete GDM preparation and design for Berryessa Creek.

RECOMMENDATION

Based upon the present high flood risk and potential damage from Coyote and Berryessa Creeks, it is requested that the Committee support continued construction funding in the amount of $2.4 million as included in the Administration's budget to continue federal construction.

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AN AFFIRMATIVE ACTION EMPLOYER

STATEMENT OF

Joe Judge

Chair/Board of Directors

Santa Clara Valley Water District

San Jose, California

March 1996

Before the

United States House of Representatives

Committee on Appropriations

Subcommittee on Energy and Water Development

The Honorable John Myers, Chairman

SUMMARY

THE STATEMENT URGES THE COMMITTEE'S SUPPORT IN THE AMOUNT OF $650,000 TO CONTINUE THE FEASIBILITY STUDY OF THE UPPER PENITENCIA CREEK PROJECT.

recycled paper

Statement of Support
For FY 1996-97
Appropriations
Upper Penitencia Creek Project
March 1996

R9928

UPPER PENITENCIA CREEK PROJECT

BACKGROUND

The Upper Penitencia Creek watershed is located in the northeast part of Santa Clara County, California, near the southern end of San Francisco Bay. The creek has flooded many times, most notably in 1911. More recently the creek overbanked in 1978, 1980, 1982, 1983, 1986, and 1995. The January 9, 1995, event caused damage to a commercial nursery and deposited mud in a condominium complex and a business park.

The proposed project on Upper Penitencia Creek, from Coyote Creek confluence to Dorel Drive, will protect portions of cities of San Jose and Milpitas. The watershed is completely urbanized, undeveloped land is limited to a few scattered parcels still used for agriculture and the corridor along Upper Penitencia Creek. Based on the 1995 Reconnaissance Report, 4,300 buildings are located in the floodprone area, 1,900 of which will have water entering the first floor. The estimated damages from a 1 percent or 100-year flood is $121 million.

STUDY SYNOPSIS

The Natural Resources Conservation Service (NRCS) under the authority of the Watershed Protection and Flood Prevention Act, Public Law 83-566, completed a study of the economic feasibility of constructing flood damage reduction facilities on Upper Penitencia Creek. However, NRCS watershed plan has been stalled since 1990 by the U.S. Department of Agriculture because the benefits to agriculture are less than 20 percent of the total benefits of the project.

The Santa Clara Valley Water District requested that the Corps proceed with a reconnaissance study in April 1994 as one possible option to solving the dilemma of the stalled NRCS plan. Funds were appropriated by Congress for FY 1995 and the Corps started the reconnaissance study in October 1994. The Reconnaissance Report was completed in July 1995, with the recommendation to proceed with the Feasibility Study Phase. The Feasibility Study is scheduled to be completed in August 1998.

FY 1996 FUNDING

The Feasibility Study is scheduled to begin on Upper Penitencia Creek in FY 1996 with funding in the amount of $120,000. The Feasibility Study Cost-Sharing Agreement is expected to be signed by the sponsor in April 1996. The study is scheduled to be completed in August 1998.

NECESSARY FY 1997 FUNDING

Funding for the Upper Penitencia Creek project during FY 1997 in the amount of $650,000 to continue the Feasibility Study is essential to providing needed flood protection to the citizens in Cities of San Jose and Milpitas.

RECOMMENDATION

Based upon the present high flood risk and potential damage from Upper Penitencia Creek, it is requested that the Committee include $650,000 to initiate a feasibility study for the Upper Penitencia Creek project.

R9928

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STATEMENT OF

Joe Judge
Chair/Board of Directors

Santa Clara Valley Water District
San Jose, California

March 1996

Before the

United States House of Representatives

Committee on Appropriations

Subcommittee on Energy and Water Development

The Honorable John Myers, Chairman

SUMMARY

THE STATEMENT URGES THE COMMITTEE'S SUPPORT TO CONTINUE CONSTRUCTION FUNDING FOR THE SAN JOSE AREA WATER RECLAMATION AND REUSE PROGRAM.

recycled paper

Statement of Support
For FY 1996-97
Appropriations
San Jose Area Water Reclamation and Reuse Program
March 1996

R9928

SAN JOSE AREA WATER RECLAMATION AND REUSE PROGRAM

BACKGROUND

The San Jose Area Water Reclamation and Reuse Program, also known as South Bay Water Recycling, will allow the City of San Jose and its tributary agencies of the San Jose/Santa Clara Water Pollution Control Plant to protect endangered species habitats, meet receiving water quality standards and supplement Santa Clara County water supplies.

The Santa Clara Valley Water District (District) is participating with the City of San Jose in the development of the reclamation and reuse program. Towards that end, the District is assisting the City of San Jose in providing financial support and technical assistance for program planning, liaison with water retailers, and in providing design, construction, inspection, and other services for the Program. Design, construction, construction administration, and inspection for the Program's Transmission Pipeline and Milpitas 1A Pipeline are being performed by the District under contract to the City of San Jose.

The Program is divided into two phases. Phase 1, now entering final design, involves construction of nearly 60 miles of transmission and distribution pipelines, pump stations and reservoirs, and has an estimated capital cost of $130 million. It is anticipated that Phase 1 will begin operation in November 1997, and will deliver an estimated 9,000 acre-feet/year of nonpotable recycled water. The City of San Jose is the program sponsor for Phase 1.

Phase 2, estimated to be implemented in 2001, will involve the assessment of other potential recycling strategies including additional nonpotable, groundwater recharge, and surface water augmentation, as well as environmental enhancements, such as constructed wetlands. The City of San Jose and the District have investigated these options and a preliminary analysis has been written by the City.

In 1992, Public Law 102-575 authorized the Bureau of Reclamation to participate with the City of San Jose and the District in the planning, design, and construction of demonstration and permanent facilities to reclaim and reuse water in the San Jose metropolitan service area.

FY 1996 FUNDING

Construction funding of the San Jose Area Water Reclamation and Reuse Program continued in 1996 with funding in the amount of $1,715,000.

NECESSARY FY 97 FUNDING

Funding for the San Jose Area Water Reclamation and Reuse Program during 1997 to continue the construction effort is essential to timely implementation of this important water supply project.

RECOMMENDATION

Based on the important water supply and environmental benefits to the area, it is requested that the committee continue the construction for the San Jose Area Water Reclamation Program.

R9928

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STATEMENT OF

Joe Judge

Chair/Board of Directors

Santa Clara Valley Water District

San Jose, California

March 1996

Before the

United States House of Representatives

Committee on Appropriations

Subcommittee on Energy and Water Development

The Honorable John Myers, Chairman

SUMMARY

THE STATEMENT URGES THE COMMITTEE'S SUPPORT TO CONTINUE FEASIBILITY STUDY FUNDING FOR THE SAN FRANCISCO AREA WATER RECLAMATION STUDY.

recycled paper

Statement of Support
For FY 1996-97
Appropriations
San Francisco Area Water Reclamation Study
March 1996

R9928

SAN FRANCISCO AREA WATER RECLAMATION STUDY

BACKGROUND

The purpose of the San Francisco Area Water Reclamation Study, also known as the Central California Regional Water Recycling Project, is to conduct a feasibility study to identify California regions that could use high-quality recycled water for such purposes as agricultural irrigation or salinity control. The study is examining if freshwater can be freed-up, and what potential exchange could result to benefit to the environment, urban, or industrial needs. Only excess recycled wastewater that exceeds maximum local usage by Bay Area municipalities would be exported to outside regions for beneficial reuse. This excess water is currently disposed of into the San Francisco Bay, rivers and Delta—a discharge option that will be more difficult in the face of increasingly stringent discharge limitations and higher treatment standards facing the entire State.

The feasibility study is scheduled for completion in October 1995, so that a complete environmental review of the best alternatives can be completed by October 1997. These deadlines comply with the PL 102-575 requirement for a report back to Congress no later than 4 years after the Bureau of Reclamation's first appropriation in October 1993.

The Santa Clara Valley Water District is participating in the feasibility study in providing financial, technical, and project management support, along with other local water and wastewater agencies.

FY 1996 FUNDING

Feasibility Study funding of the San Francisco Area Water Reclamation Study in FY 1996 was $2,575,000.

NECESSARY FY 97 FUNDING

Funding for the San Francisco Area Water Reclamation Study during 1997 to continue the feasibility study effort is essential to timely completion of the Study.

RECOMMENDATION

Based on the important water supply and wastewater discharge benefits to the region, it is requested that the committee continue the feasibility study funding for the San Francisco Area Water Reclamation Study. Costs of the project are shared between the sponsor and the Bureau of Reclamation.

WEDNESDAY, MARCH 6, 1996.

SAN LORENZO RIVER FLOOD CONTROL PROJECT

WITNESS

CAROLYN C. CHANEY, WASHINGTON, D.C. REPRESENTATIVE, CITY OF SANTA CRUZ

Ms. TENNIS. Representing the City of Santa Cruz, we have Carolyn Chaney.

Ms. CHANEY. Thank you, Mr. Chairman. I appreciate coming before you today on behalf of the City of Santa Cruz and their San Lorenzo Flood Control project.

First, I want to thank you for supporting the project in the past. And Congressman Farr testified on behalf of our project earlier today, so I won't go into the numbers. But I just wanted to say that while the California Water Commission has not had a vote on this particular project and our numbers disagree, it is because we are caught up in the lack of a WRDA bill at this point.

The Corps has asked us—or has testified on our behalf for the last two times, and we hope this year it will come through and that you will be able to help us support going ahead with the first phase of the construction.

Thank you very much. We appreciate your time.

Mr. RIGGS. You are saying that you hope that this project will be authorized in the WRDA bill that we still hope to do this session of Congress?

Mr. WILLIAMS. Right. Thank you.

Ms. TENNIS. Okay. Thank you.

[The statement of Ms. Chaney follows:]

Carolyn C. Chaney
Washington Assistant
City of Santa Cruz, California
before
Subcommittee on Energy and Water Development
Committee on Appropriations
March 6, 1996

Chairman Myers, members of the subcommittee, thank you for your time. On behalf of the City of Santa Cruz, California, I respectfully request your assistance in forwarding the San Lorenzo River flood control project that has been in the works for many, many years. While the California Water Commission has not had a vote on this phase of the San Lorenzo River, we are confident if they had been given the opportunity, they would be supporting $7 million for the first year of a two-year construction project. In addition, we request an additional $1 million for environmental restoration of the project under Section 1135 of the Water Resources Development Act.

The U. S. Army Corps of Engineers has requested the inclusion of this project in hearings regarding the Water Resources Development Act for the last several years. Unfortunately, to date, there has not been a WRDA bill enacted. In anticipation of the authorization, however, we request your continued assistance with our project.

At the time of the Chief's Report two years ago, the Corps estimated the total construction cost at $15.7 million. With inflation and other changes, it is now estimated that it will cost approximately $18 million.

The City of Santa Cruz has been working with the Corps for several decades to upgrade the protection offered by our existing Corps flood control project which presently gives less than 30 years of flood protection. The Loma Prieta Earthquake that struck the heart of Santa Cruz in 1989 not only devastated the City's downtown but also delayed the proposed flood control improvements.

The City has in the meantime rebuilt its whole downtown. Therefore, it is essential, now more than ever, to eliminate a critical flood threat that exists in the City's downtown area. The project will also help create both construction jobs and long-term economic development as a result of potential private investments adjacent to the environmental enhancements we hope to attain.

Mr. Chairman, we thank your committee for supporting this project in the past and request that you continue to do so. After spending more than $4 million on studies, and anticipating to spend at least $10 million locally in bridge repair and replacement for this project, we hope that you will support the last phase of our project and allow us to go to construction of not only the basic flood control project, but also the enhancement portion of the project.

Thank you for your attention.

WEDNESDAY, MARCH 6, 1996.

LOS ANGELES COUNTY DRAINAGE AREA PROJECT

HANSON AND LOPEZ DAMS; SANTA FE AND WHITTIER NARROWS DAMS

WITNESS

CARL BLUM, DEPUTY DIRECTOR, LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS

Ms. TENNIS. Now we have Carl Blum from the County of Los Angeles.

Mr. BLUM. Good morning. Carl Blum, Deputy Director of the Los Angeles County Department of Public Works, local sponsor on several projects.

I would like to urge your support today for continuing Federal funding for two water conservation and supply feasibility studies that are ongoing. One has to do with the Hanson and Lopez Dams, we are asking for $400,000 for that; and the second is for the Santa Fe and the Whittier Narrows Dams of $450,000.

The other project I am here for is the Los Angeles County Drainage Area project that Congressman Horn testified on. We are urging support of $50 million to fund the continuing construction phase of that project, and I would just like to add one comment, I think, to supplement what Congressman Horn said.

The total Federal share for the construction phase of this project is going to be about $200 million. The annual mandatory flood insurance that will be required for the people living in the overflow area is $131 million per year. So you can see the impact is very significant, and we urge that the $50 million funding level be approved for this coming year.

Thank you.

Ms. TENNIS. Thank you.

Mr. RIGGS. That is sort of a broad interpretation of cost-benefit analysis, but it is one I appreciate.

Mr. BLUM. It is normally not considered, but has a real impact on the people that live there.

Mr. RIGGS. Yes.

Ms. TENNIS. Certainly.

Thank you.

[The statement of Mr. Blum follows:]

LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS
A PRESENTATION OF THE FLOOD CONTROL NEEDS IN LOS ANGELES COUNTY
FEDERAL FISCAL YEAR 1997

United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable John-Myers, Chairman

BY
CARL L. BLUM, DEPUTY DIRECTOR
DEPARTMENT OF PUBLIC WORKS, LOS ANGELES COUNTY, CALIFORNIA

Summary of recommendations by Los Angeles County Department of Public Works concerning budget allocations to the U.S. Army Corps of Engineers.

We strongly support the California Water Commission's recommendation to the Committee for:

- **$50 million to fund the continuing construction phase of the Los Angeles County Drainage Area (LACDA) project.**
- **Continue Federal funding for the Los Angeles County Drainage Water Conservation and Supply Feasibility Study for Hansen and Lopez Dams.**
- **Continue Federal funding for the Los Angeles County Drainage Water Conservation and Supply Feasibility Study for Santa Fe and Whittier Narrows Dams.**

Mr. Chairman and Members of the Committee:

We appreciate your Committee's continued support of critical flood control and water conservation projects in Los Angeles County, California.

Floods are a part of the history of the Los Angeles area. Widespread floods have periodically devastated vast areas of the region and were responsible for taking lives, damaging property and interrupting commerce and trade.

The U.S. Army Corps of Engineers and County of Los Angeles, acting on behalf of the Los Angeles County Flood Control District, have built one of the most extensive flood control systems in the world. Construction of the major elements of the system began in the 1920s and consisted of 20 major dams, 470 miles of open channels, and many other appurtenant facilities. Fifteen of these major dams are owned and/or operated by the County while the remaining five dams (Hansen, Lopez, Santa Fe, Sepulveda and Whittier-Narrows), are owned and operated by the Corps. Since the major segments were completed, it is estimated that the system has prevented $3.6 billion in potential flood damage.

Development which occurred after World War II exceeded the projections the Corps used in the 1930s and has increased runoff to the point where, even in a moderate storm, the runoff could exceed the design capacity of portions of the system. For example, the lower Los Angeles River in the City of Long Beach can only provide protection from a 40-year flood and came close to overtopping in 1980. A storm of greater magnitude would have a tremendous impact, both personal and economic, on Los Angeles County, the nation's second largest metropolitan area.

At the request of the County of Los Angeles, the U.S. Army Corps of Engineers analyzed the adequacy of the existing major flood control facilities serving the Los Angeles basin in the LACDA Review study. In 1990, a Project to upsize a portion of the LACDA system received Congressional approval subject to a favorable report by the Chief of Engineers (received in 1995), and signature of the Record of Decision by the Secretary of the Army, which was obtained in July 1995.

The final report by the Corps identified 100-year flood damages totaling $2.25 billion covering an 82-square-mile area which houses over 500,000 people. These damages would occur in the heavily-urbanized Los Angeles basin, where adequate protection from a 100-year flood was previously provided.

The LACDA project is a critical modification to existing facilities. Obtaining funds to do the modification is critical for two reasons: first, because of the threat of flooding to over one-half million people; and second, because FEMA is in the process of finalizing Flood Insurance Rate Maps (FIRMs) for the area that would be affected by overflows from the lower Los Angeles River and Rio Hondo Channel. The financial impact on the affected property owners could reach as high as $131 million annually for flood insurance premiums. Any delay in construction causes a great financial hardship on thousands of people, who thought the existing river provided adequate protection and will now need to buy flood insurance until such a project is completed. An economic impact study done by the University of Southern California also indicated that failure to construct the needed flood control measures will result in the loss of as many as 120,000 jobs. Economic losses in the region of over $30 billion over a 10-year period could also be realized due to stringent building restrictions.

This project, currently estimated to cost approximately $312 million, is scheduled to be done in 5-7 years. With $500,000 of initial construction dollars included in the Fiscal Year 1994-95 budget, construction is underway. The 1995-96 budget included $11.3 million to continue construction. Two construction contracts will be awarded later this Fiscal Year. In order to complete the project in a timely fashion, it is critical to move the level of construction activity to the $50 million a year level. As a result, we strongly support the California Water Commission's recommendation for $50 million to continue construction of the LACDA project.

Since their inception, the majority of the County's 15 dams have performed a dual role. In addition to flood control, our facilities have also been used to capture local storm runoff to assist in recharging our underground aquifers. With the exception of the Whittier-Narrows Dam, Corps facilities are not used to assist in groundwater recharge activities. Increased demands on our existing water supply system have shown the need of integrating local resources to better manage our local water supplies.

While the County captures much of the water flowing within our flood control system, 280,000 acre-feet on average is discharged to the Pacific Ocean each year from the Los Angeles River. Since 1985, the County has been working to improve its existing water conservation system. The utilization of certain Corps facilities could be an integral part of this system by storing significant amounts of this lost runoff.

In 1993, Congress authorized the Corps to initiate a reconnaissance study to determine the viability of increased use of Corps facilities for water conservation. The study looked at establishing water conservation pools at Hansen, Lopez, and Santa Fe Dams, and increasing the existing water conservation pool at Whittier Narrows dam. The utilization of these facilities would benefit many of the groundwater basins in the County. A secondary benefit would be realized by helping to dilute the groundwater pollution that currently threatens many water supply wells within these basins.

In May 1994, the Corps' reconnaissance study was completed. Preliminary benefit-cost ratios range from 2.2 to 19.0 for the four study sites, and the annual economic benefits range from $622,700 to $6,463,000. Overall, the four reservoirs could potentially conserve nearly 17,000 acre-feet annually of additional storm runoff, enough water to serve the annual needs of nearly 136,000 people. The study concluded that two feasibility studies were warranted: one for the Hansen Dam-Lopez Dam system, the other for the Santa Fe Dam-Whittier Narrows Dam system. The Corps began these feasibility studies in January 1995 with Los Angeles County as the local sponsor. Each feasibility study is to be conducted over a three-year period at a total cost of $4.66 million ($2.24 million for the Hansen-Lopez system and $2.42 million for the Whittier Narrows-Santa Fe system). The County will contribute 50 percent of the necessary funds. Currently, we are beginning the second of a three year schedule and anticipate completing both feasibility studies by early 1998. The Corps had funding authority for the 1996 Fiscal Year, of $0.40 million for the Hansen-Lopez study and $0.46 million for the Whittier Narrows-Santa Fe study.

We strongly support the California Water Commission's recommendation to provide necessary funding in the 1997 Fiscal Year for the Hansen-Lopez study and the Whittier Narrows Santa Fe study.

We appreciate your Committee's continued support in addressing these critical concerns in the Los Angeles County area of Southern California.

WEDNESDAY, MARCH 6, 1996.

LOS ANGELES COUNTY DRAINAGE AREA PROJECT

WITNESS

DIANE BOGGS, COUNCIL MEMBER, LOS ANGELES COUNTY DRAINAGE AREA ALLIANCE, CITY OF DOWNEY

Ms. TENNIS. From the Los Angeles County Drainage Area Alliance, City of Downey, Diane Boggs, Council Member.

Ms. BOGGS. Thank you. My name is Diane Boggs, and I am a Council Member in the City of Downey, California. Downey is one of the seven cities that comprise the LACDA alliance. The other cities are Bellflower, Carson, Lakewood, Paramount, Pico Rivera and South Gate, and these cities are located in the flood plains of both the Los Angeles and the Rio Hondo Rivers.

We urge the committee to support the construction—the continued construction funding for the Los Angeles County Drainage Alliance, which is our LACDA Flood Control project, and we do support an accelerated schedule to be funded for $50 million in fiscal year 1997.

The LACDA Alliance was organized to seek relief from the burdensome floodplain management requirements and excessive flood insurance premiums that were triggered by finding that the existing flood control system does not provide adequate flood protection. Until the project is restored, the economic loss will be a total of $131 million per year in additional flood insurance premiums. Approximately $36 million and 170,000 jobs will be lost in the region over a ten-year period, and this is the reason we need to see that this project continues to be accelerated.

The LACDA project is essential to the protection of the residents and the businesses in one of the most densely populated areas of our country. A 100-year flood event would flood as much as 82 square miles of Los Angeles County, and more than 500,000 people would be directly affected in eleven cities, causing up to $2.3 billion in flood damages.

The Federal, State and local governments have approved this project and construction has commenced on the first phase of the project. Every affected community has endorsed this project, as well as the entire affected congressional delegation of eight districts.

The benefit-cost ratio of this project is approximately—is exceptionally high, which is a 2.4, and we ask for the Appropriations Committee to please continue its support for this essential flood control project by appropriating $50 million for the LACDA project.

We would like to thank you for your past support and your consideration for the protection of the lives of 500,000 people in the future. Thank you.

Mr. MYERS. Thank you.

Ms. TENNIS. Thank you.

[The statement by the Los Angeles County Drainage Area Alliance follows:]

LACDA Alliance

Los Angeles County Drainage Area Alliance ■ 11111 Brookshire Avenue ■ Downey, California 90241

City of Bellflower
City of Carson
City of Downey
City of Lakewood
City of Paramount
City of Pico Rivera
City of South Gate

United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable John Myers, Chairman

LOS ANGELES COUNTY DRAINAGE AREA (LACDA) FLOOD CONTROL PROJECT

Statement of the LACDA Alliance
March 6, 1996

The LACDA Alliance, a coalition of seven cities in the Los Angeles and Rio Hondo River floodplains, urges Congress to support continued construction funding for the Los Angeles County Drainage Area (LACDA) flood control project. The cities in the LACDA Alliance: Bellflower, Carson, Downey, Lakewood, Paramount, Pico Rivera and South Gate, join the County of Los Angeles in seeking funding for an accelerated construction schedule. We support the local sponsor's request of $50 million for FY 1997.

The LACDA Alliance was organized to seek relief from burdensome floodplain management requirements and excessive flood insurance premiums triggered by the finding that the existing flood control system does not provide adequate protection from at least a 100-year flood event. Until the project is restored, the economic loss can be quantified by $131 million per year in additional flood insurance premiums and a total $36 billion regional economic loss and more than 170,000 jobs lost over ten years. The Alliance succeeded in securing legislation to reduce the economic impact from the Federal Flood Insurance Program, but relief from flood insurance requirements depends on continued progress in constructing the flood control project. The longer it takes to complete the project, the longer the cities in the floodplain and the region risk public safety and the economic loss of additional flood insurance premium costs and restrictive building requirements.

The LACDA project is essential to protect the residents and businesses of one of the most densely populated areas of our country. A 100-year flood event would flood as much as 82 square miles of Los Angeles County. More than 500,000 people would be directly affected in 11 cities, causing up to $2.3 billion in flood damages. An estimated 177,000 structures would be affected.

The Federal, State, and local governments have approved this project and construction has commenced on the first phase of the project at Compton Creek. The benefit cost ratio of this project is exceptionally high, 2.4. In fact, this benefit cost ratio will only rise as the sponsors of the project continue to identify ways of trimming the cost of the project. Every affected community has endorsed this project, as well as the entire affected Congressional delegation.

We ask that the Appropriations Committee continue its support for this essential flood control project by appropriating $50 million for the LACDA flood control project.

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WEDNESDAY, MARCH 6, 1996.

SANTA ANA RIVER MAINSTEM PROJECT

SEVEN OAKS AND PRADO DAMS

SAN JUAN AND ALISO CREEKS

WITNESS

JAMES SILVA, SUPERVISOR, COUNTY OF ORANGE

Ms. TENNIS. Our next speaker is from the County of Orange, James Silva, the best Supervisor this side of the Mississippi.

Mr. SILVA. Thank you.

Mr. Chairman and distinguished members, I am Supervisor Jim Silva, representing the County of Orange, the flood control district, the primary local sponsor of the Santa Ana River Mainstem project. With me today is Mr. Bill Zaun, Public Works Director of Orange County, and Don Martinson, Director of Santa Ana's River Protection Agency. I will be speaking on behalf of these two gentlemen and also on behalf of the 2.6 million people that live in Orange County and are potential flood victims of the Santa Ana River.

We appreciate the long-standing support of this subcommittee for the appropriation of funds for the Santa Ana project and the funds for the completion of the reconnaissance study of the San Juan and Aliso Creeks in Orange County.

Based on the Army Corps' certification of adequate progress on the Santa Ana River project, we have recently requested that the FEMA amend the flood zone in Orange County to permit a substantial reduction in the cost of mandated flood insurance for the area homeowners. We are optimistic that FEMA will change the current flood zone.

On behalf of the Orange County Flood Control District, I request your support for the appropriation of funds required to maintain the Army Corps' construction schedule on the Santa Ana project and funds sufficient to complete the reconnaissance study of the San Juan and Aliso Creeks. I appreciate your consistent support of these vital flood control projects.

Thank you for this opportunity to address you today.

Mr. MYERS. Thank you.

[The statement of Mr. Silva follows:]

UNITED STATES
HOUSE OF REPRESENTATIVES

COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

HONORABLE JOHN MYERS, CHAIRMAN

March 6, 1996

Water Development Projects Hearing

Statement By
Supervisor James W. Silva, Orange County, California
For
The Orange County Flood Control District
State Of California

A Local Sponsor

UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
Honorable John Myers, Chairman

A. SUMMARY

Mr. Chairman and Members, the Orange County Flood Control District (OCFCD), Orange County, California requests your support of an appropriation sufficient to maintain the planned construction schedule for the Santa Ana River Mainstem Project (SARP) during Fiscal Year 1997, and an appropriation which will permit completion of the reconnaissance study on San Juan Creek and Aliso Creek, Orange County, California.

As this Subcommittee is keenly aware, the U.S. Army Corps of Engineers considers the Santa Ana River to be the most critical flood threat in the West. The most severe flood likely to occur could impact 3 million people, kill 3,000 people and destroy property valued at more than $15 billion in three urban Southern California Counties.

The Flood Control Districts of Orange, Riverside and San Bernardino Counties have entered into a Local Cooperation Agreement with the United States Department of the Army to provide a minimum of 25% of the total SARP cost. The Local Sponsors' costs are now estimated to be 42% of the total project cost of $1.333 billion. OCFCD's share is about $509 million. To date, OCFCD has expended about $164 million toward its responsibilities to provide cash, land and relocations to make way for construction of the SARP.

The Local Sponsors have obtained possession of about 1,700 acres of land for mitigation and 2,270 acres for construction of the new Seven Oaks Dam. Electric transmission lines impacted by the new dam have been relocated, and the relocation of a hydroelectric plant has been arranged.

Land has been acquired and utilities have been relocated to support the U.S. Army Corps of Engineers accelerated construction schedule to improve the lower Santa Ana River Channel. The Talbert Channel ocean outlet has been relocated and the Santa Ana River ocean outlet widened. Approximately 16.6 miles of channel have been improved to increase floodwater carrying capacity. Four bridges have been lengthened to span the widened river. Ninety-two acres of degraded wetlands at the mouth of the Santa Ana River have been acquired and are being restored to mitigate project impacts. The OCFCD has developed a habitat management plan for preservation of open space and wildlife habitat in the Santa Ana Canyon below Prado Dam.

Right-of-way engineering is in progress for acquisition of over 1,600 acres of land for the Prado Dam feature. This land is required for the reservoir expansion and includes acquisition and relocation of residences, dairies, farming operations and related agricultural businesses. Plans are also being prepared for the required relocation of State Highway Route 71 in 1997.

The Local Sponsors, including the OCFCD, are continuing to provide cash contributions, acquire property and perform relocations to enable the U.S. Army Corps of Engineers to maintain its construction schedule for Fiscal Year 1997. The support of the Committee on Appropriations, Subcommittee on Energy and Water Development for appropriations to continue construction of the SARP is requested to provide citizens of Orange, Riverside and San Bernardino Counties with urgently needed flood protection as early as possible.

The San Juan Creek and Aliso Creek Reconnaissance Study has been initiated by the U. S. Army Corps of Engineers. An appropriation of approximately $370,000 is required for Fiscal Year 1997, to complete the study.

B. FLOOD POTENTIAL - THE SANTA ANA RIVER

- Headwaters in San Bernardino Mountains, 75 miles to Pacific Ocean.
- Drains 3,200 square miles in Orange, Riverside and San Bernardino Counties in Southern California.
- Flows through Cities of Colton, Riverside, Norco, Anaheim, Santa Ana, Orange, Fountain Valley, Costa Mesa and Huntington Beach.

FLOODS IN ORANGE COUNTY

- 1938, greatest flood of this century, flooded the entire northern half of Orange County. Almost all bridges destroyed including damages to agricultural land which is now urbanized.
- 1862, greatest flood on record, approximating the Corps Standard Project Flood.

ESTIMATED DAMAGE

- LEVEES WOULD BE BREACHED: Flooding 110,000 acres from Anaheim to the ocean killing as many as 3,000 people and causing more than $15 billion in property damage.

- MAJOR TRANSPORTATION CORRIDORS INTERRUPTED: San Diego, Garden Grove, Santa Ana, Costa Mesa and Orange Freeways. Railroad Stations and Track.

- MAJOR PUBLIC FACILITIES WOULD BE INUNDATED: Hospitals, Shopping Centers, Colleges, Sanitation Plants, Stadiums, Disneyland, Knotts Berry Farm and Hotels.

MAJOR FEATURES

LOWER SANTA ANA RIVER

- ESTIMATED COST: $384 million ESTIMATED COMPLETION: Year 2000
- Improve 23 mile channel from Prado Dam to the Pacific Ocean
- Restore/Enhance 92 acre(8-acre mitigation)wetlands
- Acquire 1,123 acres of canyon lands to ensure safe releases from Prado Dam and provide open space habitat
- Relocate various utilities
- Modify 34 bridges

PRADO DAM

- ESTIMATED COST: $472 million, construction is unscheduled
- Raise the dam elevation from 566 feet to 594.4 feet (increase of 28.4 feet)
- Increase reservoir area from 6,695 acres to 10,256 acres
- Impoundment increase from 212,000 acre-feet to 362,000 acre-feet
- Increase capacity of outlet gates from 9,200 cfs to 30,000 cfs
- Acquire over 1,600 acres of property rights for reservoir expansion
- Relocate or protect 30 various utility lines
- Raise State Highway Route 71

SEVEN OAKS DAM

- ESTIMATED COST: $364 million ESTIMATED COMPLETION: Year 1999
- 550-foot high , earth-rockfill dam, 2,980 feet long
- Gross reservoir capacity of 145,600 acre- feet
- Reduces peak inflow of 85,000 cfs to a peak outflow 7,000 cfs
- Acquire about 4,00 acres of land in fee or easement
- Relocate powerhouse, flume and transmission line, spreading basins, waterwells

D. SUMMARY OF PROJECT PROGRESS

LOWER SANTA ANA RIVER

The U.S. Army Corps of Engineers has completed approximately 16.6 miles of channel improvements from the River's ocean outlet to the City of Orange. For project mitigation, over 92 acres have been designated as marshland restoration areas. The Talbert Channel outlet has been relocated a thousand feet up the coast to provide for a wider Santa Ana River outlet. A new bridge was completed over the relocated Talbert Channel outlet to restore State Beach parking lost when the new outlet was installed.

The OCFCD has also initiated preparation of the Santa Ana River Canyon Habitat Management Plan and is working with the U.S. Army Corps of Engineers on the development of a recreation plan to increase recreational use of the Santa Ana River Trail. The OCFCD has been pushing ahead to help the U.S. Army Corps of Engineers expedite the Lower Santa Ana River construction schedule by acquiring over 112 acres of rights-of-way and has arranged for the relocation of over 28 utility lines and 5 oil/gas lines and wells. Of the 34 bridges requiring modification for the SARP, 26 bridges have been modified to date including replacement of the Pacific Coast Highway Bridge in Newport Beach, the Hamilton-Victoria Bridge in the Cities of Costa Mesa and Huntington Beach, the Harbor Blvd. Bridge in Santa Ana and the Katella Avenue Bridge in the City of Anaheim.

SEVEN OAKS DAM

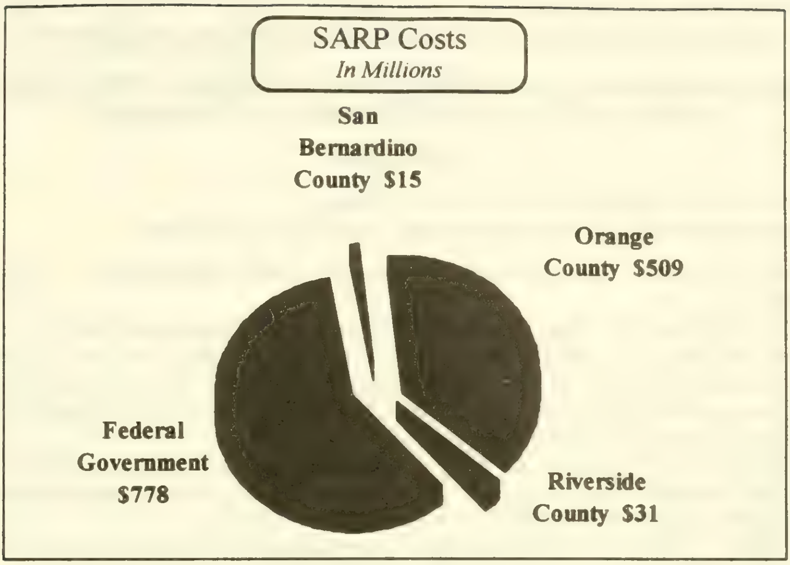
The U.S. Army Corps of Engineers has completed excavation and placed the concrete lining for the intake structure, gate chamber and outlet tunnel. Construction of the cofferdam, approach channel and access roads are complete. Construction on the dam embankment and outlet works are underway. Southern California Edison has completed the relocation of transmission towers. Local Sponsors have acquired possession of 1,700 acres for project mitigation and an additional 2,270 acres for borrow sites, haul roads and the dam site. Sponsors have also started implementation of a mitigation lands management program to facilitate protection and propagation of an endangered species. Agreement has been reached with the Southern California Edison Company for the relocation of transmission lines and a hydroelectric plant and related flume out of the new Seven Oaks Dam reservoir area.

PRADO DAM

OCFCD has initiated a program for acquisition of about 500 parcels under 260 ownerships. Survey and right-of-way engineering are underway. Hardship claim procedures have been established. Thirteen properties have been acquired, including three parcels under the hardship procedure. Preparation of plans for the relocation of State Highway Route 71 is underway, with construction planned to begin in the summer 1997.

E. PROJECT COSTS

The cost of the SARP is currently estimated by the U.S. Army Corps of Engineers to be $1.333 billion. Allocation of project costs amongst the Federal Government and the Local Sponsors is illustrated by the chart on the following page.



SAN JUAN CREEK

San Juan Creek is the largest watershed in Orange County, with a tributary area of 176 square miles. The creek begins at elevation 3,240 feet and traverses 29 miles on its way to the Pacific Ocean adjacent Doheny State Beach and Dana Point Harbor, two significant recreational resources of Orange County.

Its tributaries include Trabuco Creek, with a drainage area of 55 square miles and Oso Creek, with a drainage area of 16 square miles. Trabuco Creek falls over 4,100 feet in a 22 mile journey to its confluence with San Juan Creek. Oso Creek falls 1,500 feet from its headwaters to its confluence with Trabuco Creek.

The watershed is largely undeveloped with the exception of areas in the Cities of Mission Viejo, Laguna Hills, Laguna Niguel and San Juan Capistrano. There is a mix of natural watercourse and engineered flood control facilities and areas of degraded wetlands in the vicinity of the Pacific Ocean.

ALISO CREEK

Aliso Creek has a watershed of 35 square miles and falls some 2,280 feet from its headwaters to the Pacific Ocean, in the City of Laguna Beach.

The Reconnaissance Study of San Juan Creek and Aliso Creek will address watershed planning issues and identify environmental enhancement opportunities on these important water resources.

SUMMARY

In summary Mr. Chairman, we thank you for the opportunity to testify before your Subcommittee and respectfully request the support of Subcommittee and the Committee on Appropriations for an appropriation to continue construction on the Santa Ana River Mainstem Project and to complete the Reconnaissance Study on San Juan Creek and Aliso Creek.

WEDNESDAY, MARCH 6, 1996.

SAN LUIS REY RIVER FLOOD CONTROL PROJECT

MISSION BASIN BRACKISH GROUNDWATER DESALTING RESEARCH AND DEVELOPMENT PROJECT

WITNESSES

DICK LYON, MAYOR, CITY OF OCEANSIDE

CAROL McCANLEY, DEPUTY MAYOR, CITY OF OCEANSIDE

Ms. TENNIS. The City of Oceanside, Carol McCanley, Deputy Mayor.

Ms. MCCANLEY. Good morning. I appreciate this opportunity, and I feel as though I would be a very—be very remiss and not a good representative if I didn't respectfully challenge the congressman who supported the term Surf City, USA for Huntington Beach. We in Oceanside also claim that title.

First of all, I would like very much to thank you for your support for the projects we have had in the past. It is greatly appreciated and obviously would not have happened without it.

Today I am here to request your support for two very vital projects. The first is San Luis Rey Flood Control, and thanks to your past support, that project is 90 percent complete.

There are two reasons I am here. The first is to increase the Section 902 maximum project cost to 81.6 million in the event the WRDA bill does not move forward; also to appropriate $6.5 million so that we can complete the project prior to the next rainy season.

This is a great project and, as I say, it is 90 percent complete, and the environmental and economic benefits from this are tremendous at completion. By the same token, they are very—a very high risk if it is not completed.

We have 100 businesses in the airport area, plus many, many residents who have been subjected to flooding and who will be subjected to flooding; and the city itself has been subjected to a lawsuit and lost that lawsuit as a result of—pardon me, as a result of the flooding. I am trying very hard to hurry through this.

The second project I am asking for is a request for approval of $500,000 in funds for the preconstruction, engineering and design of the Mission Basin Groundwater Desalting Research and Development project. This existing project, right now, is contributing 200 million gallons of water—drinkable, potable water to the City of Oceanside. It is a good project. It is not taking sea water; it is actually taking brackish groundwater. So the economic advantages are much greater than having an actual desalting plant. The expansion will more than double the ability for us to put out—we should be able to put out 5 million gallons of drinking water a day with this expansion.

Right now, Oceanside has virtually no reserve; in the event of a major earthquake, we would, I believe, have about two hours' worth of water to supply to the city. This expansion would also enable us to assist Camp Pendleton, which lies directly to the north of us, in the event of a disaster.

So you have our written testimony on both items and, again, we appreciate the time, and we certainly request that you do take into consideration our two projects.

Mr. MYERS. Thank you.

Ms. TENNIS. Thank you.

[The statements of Mr. Lyon follow:]

CITY OF OCEANSIDE

MAYOR
DICK LYON

STATEMENT
to the United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
March 6, 1996

The Honorable John Myers, Chairman

San Luis Rey River Flood Control Project
Oceanside, California

Dear Chairman Myers and Members of the Subcommittee:

The City of Oceanside requests your support for completion of the San Luis Rey River Flood Control Project in fiscal year 1997. The project is 90% complete, but construction has been delayed as the result of the need to meet environmental mitigation requirements and to modify the authorization for the project. All environmental clearances have been received from the U.S. Fish and Wildlife Service, and a request has been made to modify the authorization limit for the project in the Water Resources Development Act now pending. The City of Oceanside's request is two-fold: to request that the Committee increase the Section 902 maximum project cost limit to $81,600,000, in the event that the Water Resources Development Bill does not move forward, and secondly to appropriate $6,500,000 in FY 1997 for the final phase of construction of the project.

The San Luis Rey River Flood Control Project provides 5.4 miles of double levee, stone protection with soft bottom, 1,330 feet of parapet walls, six interior drainage ponds, a five-mile bicycle trail, and habitat to mitigate for impacts to the endangered least Bell's vireo.

The remaining portion of the project to be constructed is the closure of a small segment of levee, construction of the lower pond, installation of relief wells, and additional environmental measures. With the authority and funding approved in the FY 1997 budget, construction of the project could be completed by December, 1996 before the onset of the rainy season.

The need to modify the Section 902 maximum project cost limit is due to unanticipated additional environmental requirements of the U.S. Fish and Wildlife Service and necessary design modifications to the project. These include relief wells, repairs and replanting due to flooding in 1993, 1994 and 1995, and various environmental modifications.

The City of Oceanside appreciates the strong support that the Subcommittee has provided to this project over the years. Completion of the San Luis Rey River Flood Control Project will afford flood protection to over 100 businesses in the Oceanside Industrial Park and Municipal Airport area. In addition, the flood control project will provide tremendous economic benefits to the citizens of Oceanside, as well as protecting life and property against devastating floods.

Thank you very much for your continuing support for this vital project.

Respectfully submitted,

Dick Lyon

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CITY OF OCEANSIDE

MAYOR
DICK LYON

STATEMENT
to the United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
March 6, 1996

The Honorable John Myers, Chairman

Mission Basin Brackish Groundwater
Desalting Research and Development Project
Oceanside, California

Dear Chairman Myers and Members of the Subcommittee:

The City of Oceanside, California requests your support for $500,000 in fiscal year 1997 to enable the Secretary of the Interior to assist in preconstruction, engineering and design work associated with the expansion of the Mission Basin Brackish Groundwater Desalting Research and Development Project in Oceanside, California.

The City of Oceanside is seeking to expand the existing Mission Basin Brackish Groundwater Desalting Research and Development Project from a capacity of two million gallons per day to five million gallons per day. The total project is estimated to cost approximately $3,000,000.

This project is critical to the City of Oceanside because the City of Oceanside has no emergency water storage capacity. If the City of Oceanside lost access to water that is currently imported either from the Sacramento-San Joaquin Delta or the Colorado River due to an earthquake or other natural disaster, the City would only have enough water to provide its residents with a two hour emergency supply. The City is totally dependent upon imported water supplies, except for the two million gallons per day produced by the City's existing desalting demonstration facility.

With a five million gallon per day desalting plant, the City of Oceanside would be able to meet about 16 percent of the normal daily demand for water. Therefore, the proposed expansion will move the City of Oceanside in the direction of being more self-sufficient during times of drought or in the case of emergency interruptions in the delivery of imported water. Expansion of the desalting research and development project will also allow the City to provide Camp Pendleton, a vital military installation, with emergency water supplies.

Chairman Myers and Members of the Subcommittee, no negative impacts on the environment have been identified that would result from the expansion of the desalting facility. The Mission Groundwater Basin will not be overdrawn by the expansion of the desalting plant. The Mission Groundwater Basin has a storage capacity of about 92,000 acre feet and has an average inflow of about eight million gallons per day. In addition, the salts from the plant will be disposed of directly into the ocean, which contains levels of dissolved solids and salts that are five to ten times the levels found in the water that will be discharged form the desalting plant.

Thank you for the opportunity to testify and for your consideration of this request.

Respectfully submitted,

Dick Lyon

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WEDNESDAY, MARCH 6, 1996.

SANTA ANA RIVER MAINSTEM PROJECT

SEVEN OAKS AND PRADO DAMS WATER CONSERVATION

MISSION ZANJA CREEK

SAN SEVAINE CREEK WATER PROJECT

SAN ANTONIO CREEK

WITNESS

KENNETH MILLER, DIRECTOR, DEPARTMENT OF TRANSPORTATION AND FLOOD CONTROL, COUNTY OF SAN BERNARDINO

Ms. TENNIS. From the County of San Bernardino, Kenneth Miller, Director.

Mr. MILLER. Mr. Chairman and members, good morning. Of the Corps and the Bureau projects that we have submitted in our written statement, the Santa Ana River Mainstem project continues to be our highest priority.

In our county, the Seven Oaks Dam feature of this project is progressing very well. The dam's foundation and outlet tunnel have been completed, and the massive earth and rock embankment is beginning to rise from the stream bed.

The first phase of the three-phase San Timoteo Creek feature is nearing completion with phase two expected to be under construction this summer.

Finally, our San Sevaine Creek Water project has met all the requirements under the Bureau's Small Reclamation Project Act program and is currently awaiting final approval in the Bureau's Washington office. On behalf of our board, I would like to express our appreciation for your committee's continued support of projects that are very important to our area. Thank you.

Mr. MYERS. Thank you.

Ms. TENNIS. Thank you.

[The statement of Mr. Martinson follows:]

Santa Ana River Mainstem
A U.S. Army Corps of Engineers Project

UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER

HONORABLE JOHN MYERS, CHAIRMAN

March 6, 1996

Statement By

Santa Ana River Flood Protection Agency
Donald J. Martinson, Executive Director

Santa Ana River
Flood Protection Agency

Don Martinson
Executive Director

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Mailing Address:
P.O. Box 4048
Santa Ana, CA 92702-4048

March 6, 1996

Honorable John Myers, Chairman
U. S. House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water

Subject: Santa Ana River Mainstem

The Santa Ana river Flood Protection Agency (SARFPA) represents eighteen cities and three special districts within the floodplain of the Santa Ana River in Orange County.

This is the anniversary month of the 1938 flood that inundated the northerly portion of Orange County. At that time, because of the relatively sparse population, several hundred thousand people were affected and loss of lives was less than one hundred. Now, that same type of flooding would affect millions of people, cause billions of dollars of damage and loss of live would be in the thousands.

The citizens of Orange County are very concerned by this potential flood threat and very much appreciate your continued support of the Santa Ana River Mainstem project.

Respectfully submitted,

Donald J. Martinson
Executive Director

DJM:deb
(6060)0012410330884

WEDNESDAY, MARCH 6, 1996.

SANTA ANA RIVER MAINSTEM PROJECT

SANTA ANA RIVER—NORCO BLUFFS

GUNNERSON POND—SECTION 1135

SANTA MARGARITA RIVER BASIN—RECONNAISSANCE STUDY

MURRIETA CREEK—SECTION 22, PLANNING ASSISTANCE TO STATES

WITNESS

JOHN TAVAGLIONE, SUPERVISOR, RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Ms. TENNIS. Our next speaker is from the Riverside County Flood Control and Water Conservation District, John Tavaglione, Supervisor.

Mr. TAVAGLIONE. Yes. Mr. Chair and committee members, I want to thank you for the opportunity to speak today. My name is John Tavaglione, and I am a member of the Board of Supervisors and Chairman of the Riverside County Flood Control and Water Conservation District. I am here just to ask for your support of our projects; we know that you have written testimony from us. We would like to reiterate the testimony given by our Congressman, Mr. Ken Calvert, today, and those that followed him for the support of the Santa Ana Mainstem project.

Along with that, we would like to ask for your support of—continued support of the Norco Bluffs project. This year we are asking for $180,000 to begin the design. That falls along the banks of the Santa Ana Mainstem; in addition, Gunnerson Pond and Lake Elsinore, Santa Marguerita River Basin, Temecula—Murietta falls in both Riverside County and San Diego County; and then finally the Murrieta Creek along the area of Temecula and Murietta.

We want to thank you once again for your continued support.

[The statement of Mr. Tavaglione follows:]

TO: UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
THE HONORABLE JOHN MYERS, CHAIRMAN

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

STATEMENT REGARDING FISCAL YEAR 1997 WATER RESOURCES DEVELOPMENT APPROPRIATIONS

PROJECT	**REQUEST**
SANTA ANA RIVER - MAINSTEM Construction - General	$52,000,000
SANTA ANA RIVER - NORCO BLUFFS Initiate Design	$180,000
SANTA MARGARITA RIVER BASIN Reconnaissance Study	$750,000
MURRIETA CREEK Section 22, Planning Assistance to States	$150,000
GUNNERSON POND Section 1135	$490,000

Respectfully submitted,

JOHN TAVAGLIONE, Chairman
Board of Supervisors
Riverside County Flood Control
and Water Conservation District

BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

RESOLUTION NO. F96-7
SUPPORTING FEDERAL APPROPRIATIONS FOR FLOOD CONTROL PROJECTS FOR FISCAL YEAR 1997

WHEREAS, the United States House of Representatives Committee on Appropriations, Sub-Committee on Energy and Water Development, and the United States Senate Committee on Appropriations, Sub-Committee on Energy and Water Development are holding hearings on March 6, 1996 to consider appropriations for Flood Control and Reclamation Projects in California for Fiscal Year 1997; and

WHEREAS, the Riverside County Flood Control and Water Conservation District (District) supports the continuation of construction of the Santa Ana River Mainstem project, the initiation of design for the project to reduce flooding and bank destruction along the Santa Ana River at Norco Bluffs, California, the initiation of a project modification report for the Lake Elsinore Outlet Channel for environmental enhancement at Gunnerson Pond, Lake Elsinore, California, the initiation of a flood plain maintenance plan study for Murrieta Creek, Riverside County, California, under the Section 22 Planning Assistance to States program and the initiation of a reconnaissance study of watershed management and flood control needs in the Santa Margarita River watershed in Riverside and San Diego Counties, California; now, therefore,

BE IT RESOLVED by the Board of Supervisors of the Riverside County Flood Control and Water Conservation District in regular session assembled on February 27, 1996, that they support appropriations by Congress for Fiscal Year 1997 for the following projects:

U.S. ARMY CORPS OF ENGINEERS

Construction - General Santa Ana River Mainstem	$52,000,000
Preconstruction Engineering and Design Santa Ana River at Norco Bluffs	$180,000
Section 1135, Environmental Enhancement Projects Lake Elsinore, Gunnerson Pond	$490,000
Section 22, Planning Assistance to States Murrieta Creek Floodplain Maintenance Plan	$150,000
Reconnaissance Study Santa Margarita River Basin	$750,000

BE IT FURTHER RESOLVED that the Interim General Manager-Chief Engineer is directed to distribute certified copies of this resolution to the Secretary of the Army, Members of the House of Representatives Committee on Appropriations and Sub-Committee on Energy and Water Development, the Senate Committee on Appropriations and Sub-Committee on Energy and Water Development, and the District's Congressional Delegation - Senators Dianne Feinstein and Barbara Boxer, and Congressmen Ron Packard, Ken Calvert and Sonny Bono.

FORM APPROVED COUNTY COUNSEL
FEB 22 1996

ROLL CALL:
Ayes: Buster, Tavaglione, Ceniceros, Wilson, Mullen
Noes: None
Absent: None

:seb
rcfc\7130

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth
GERALD A. MALONEY Clerk of said Board
By

2/27/96

SANTA ANA RIVER - MAINSTEM

The Water Resources Development Act Of 1986 (Public Law 99-662) authorized the Santa Ana River - All River project which includes improvements along the river in Orange County, California, enlargement of Prado Dam and Reservoir near Corona, construction of a new dam (Seven Oaks) near the mouth of Upper Santa Ana Canyon, improvement of the Oak Street Drain Channel in Corona, improvement of Santiago Creek in Orange County and various mitigation features as set forth in the Chief of Engineers' Report to the Secretary of the Army. The Board of Supervisors of Orange, Riverside and San Bernardino Counties are in support of this needed project and have so stated in past resolutions to Congress.

The Local Cooperation Agreement (LCA) was signed in December 1989 by the three local sponsors and the Army. The first of five construction contracts started on the Seven Oaks Dam in the Spring of 1990. The dam project will be complete in the year 2000. Acquisition has been completed on enhancement lands near the mouth of the river channel and the local sponsors continue acquisition for other elements of the project. Construction has been completed on the Oak Street Drain and the Mill Creek elements. Construction has been completed on three reaches of the lower Santa Ana River Channel and continues on two other reaches. We understand the President will recommend $52 million dollars be appropriated in FY 1997 to continue this important project.

We support the President's recommendation for the Santa Ana Mainstem construction and urge the Committee to approve the funds in the Fiscal Year 1997 appropriations.

SANTA ANA RIVER AT NORCO BLUFFS

The Santa Ana River passes along the northerly border of the City of Norco. Norco is situated on a bluff that forms the left bank of the river. The bluff varies in height from 46 to 96 feet above the streambed.

The floods of January and February 1969 along the Santa Ana River caused flow impingement on the river bank which undermined the toe of the slope, causing sloughing of the bank. Approximately 50 to 60 feet of the bluff retreated to the south. No improvements were lost at that time but the threat to improvements from future river actions became apparent. The floods of 1978 and 1980 impinged further, causing another 30 to 40 feet of retreat of the bluff. One single family residence was undermined and destroyed because of this damage.

A provision in the Water Resources Development Act of 1990, PL 101-640, directed the Secretary of the Army to conduct a study of the feasibility of improvements along the Santa Ana River at Norco Bluffs to prevent further damage to the bluffs by the river.

The Corps found sufficient justification to proceed with a feasibility study in their reconnaissance study. A cost shared feasibility study agreement has been executed by the Corps and the District and the study will be completed this fiscal year. The total feasibility study costs are estimated to be $1.85 million. Congress has appropriated $925,000 to date for this study.

We are requesting Congress, through the Committee, to appropriate $180,000 in FY 1997 to provide sufficient Federal funding to initiate design work in FY 1997 on the Santa Ana River at Norco Bluffs project. The Riverside County Flood Control and Water Conservation District is fully prepared to meet its cost sharing obligation.

SANTA MARGARITA RIVER BASIN

The Santa Margarita River Basin lies in the south and northwesterly areas of Riverside and San Diego Counties, respectively. Murrieta Creek passes through the cities of Murrieta and Temecula in Riverside County. It then combines with Temecula Creek to form the Santa Margarita River which flows into San Diego County, through the Camp Pendleton Marine Base, and into the Pacific Ocean. Murrieta and Temecula experienced severe flood damage in January 1993, estimated in excess of ten million dollars, from Murrieta Creek overflow. Camp Pendleton also suffered extensive flood damage to facilities and aircraft due to overflow of the Santa Margarita River.

The requested Reconnaissance Study is needed to determine if there is justification for Federal interest in the study area. The effort will address watershed management, including flood control, environmental restoration, water conservation and supply, recreation and related purposes.

We request the Committee to approve $750,000 in Fiscal Year 1997 appropriations to undertake a Reconnaissance Study on the Santa Margarita River Basin.

MURRIETA CREEK

The District is also seeking the Corps' assistance in the development of a floodplain maintenance plan for the lower six miles of Murrieta Creek, under the Section 22, Planning Assistance to the States authority.

Severe flooding and resulting damages occurred in January 1993 in Temecula and Murrieta from overbank flooding of the creek possibly due to vegetative growth and attendant sediment build-up. Clearing and restoration work was undertaken following the flooding, but a plan is needed for creek/floodplain maintenance that will satisfy the requirements of the various regulatory agencies until such time as permanent improvements can be constructed.

We request the Committee to approve a Fiscal Year 1997 appropriation of $150,000 under the authority of Section 22, Planning Assistance to the States, in order to prepare a floodplain maintenance plan.

GUNNERSON POND

In 1995, the Corps of Engineers Los Angeles District began an investigation under Section 1135 to evaluate the possibility of a wetlands restoration project at Gunnerson Pond. Currently, the South Pacific Division is reviewing the Preliminary Restoration Plan for the project. The project location is in the Lake Elsinore region of Riverside County, California. The site is located north of the City of Lake Elsinore, at Gunnerson Pond, adjacent to and downstream of the Corps-built Lake Elsinore Outlet Channel, a Section 205 project.

The proposed modification of the outlet channel would allow water from Lake Elsinore and from a nearby wastewater treatment plant to flow into Gunnerson Pond, creating a permanent wetland in that area.

The purpose of this modification would be to enhance and develop waterfowl habitat, endangered species habitat, emergent wetland vegetation, and riparian vegetation. The proposed project would significantly expand and enhance existing wetland and riparian areas along the Temescal Creek floodplain. Currently protected habitat areas within the immediate vicinity of the outlet works include approximately 40 acres of riparian and marsh wetlands. Construction of this project would permanently protect and enhance an additional 60 acres of wetlands (a 65% increase in acreage). The value of existing habitat at Gunnerson Pond would be increased substantially, by at least 80-90%. The habitat value of adjacent wetlands would also be increased by providing a large expanse of contiguous habitat that would tie into the wildlife corridor provided by Temescal Creek.

We request the Committee to approve $490,000 in Fiscal Year 1997 appropriations, to prepare a Project Modification Report and to initiate preconstruction, engineering and design for the Gunnerson Pond project under the authority of Section 1135, within available funds.

WEDNESDAY, MARCH 6, 1996.

SOUTHERN CALIFORNIA INFRASTRUCTURE RESTORATION STUDY

WITNESS

LES M. JONES, DIRECTOR, PUBLIC WORKS, CITY OF HUNTINGTON BEACH

Ms. TENNIS. From the City of Huntington Beach, Les M. Jones, the Director of Public Works.

Mr. JONES. Good morning, I am Les Jones, Director of Public Works, speaking on behalf of Mayor Dave Sullivan of the City of Huntington Beach.

The Mayor would want me to say at this point that the City of Huntington Beach, the real Surf City, USA, is also the 89th largest city in the United States; and we are seeking a $900,000 appropriation to initiate a water infrastructure reliability study.

Public law 101–60 provides specific authorization for the U.S. Army Corps of Engineers to consult with the Federal Emergency Management Agency and conduct special studies of the seismic conditions of the infrastructure in Southern California.

The Huntington Beach special study will focus on water, sewer drainage infrastructure systems in the city and potentially affected by major seismic activity on the Newport-Inglewood Fault which splits our community. Primary elements of the study would include groundwater basin optimization and effects of fault systems thereon; seismic reliability of water storage facilities and water systems; seismic reliability of sewer system elements including collection and trunk facilities and pumping stations; seismic reliability of closed and open channel storm drain systems and pumping stations; and the development of alternative recycled and imported water backup supplies for the area.

The City of Huntington Beach appreciates the support of Congressman Rohrabacher and would appreciate the support of this committee for the study that is essential to the infrastructure needs of our community. Thank you.

Ms. TENNIS. Thank you.

[The statement of Mr. Jones follows:]

City of Huntington Beach

P. O. BOX 190 • 2000 MAIN STREET • CALIFORNIA 92648

MAYOR
Dave Sullivan

MAYOR PRO TEMPORE
Ralph Bauer

COUNCILMEMBERS
Shirley Dettloff
David P Garofalo
Peter Green
Tom Harman
Victor Leipzig

United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable John Myers, Chairman

SOUTHERN CALIFORNIA INFRASTRUCTURE RESTORATION STUDY
City of Huntington Beach, California

March 6, 1996

The City of Huntington Beach is seeking a $900,000 appropriation to initiate a water infrastructure reliability study. Public Law 101-60 authorizes the U.S. Army Corps of Engineers to conduct in consultation with the Federal Emergency Management Agency (FEMA) special studies in southern California. These studies assess infrastructure such as water, sewer and drainage systems as well as the restoration of these systems to full service following major seismic events. Studies similar to this proposed study are currently underway in Southeast Los Angeles County and the San Gabriel Valley under the local sponsorship of the cities of Norwalk and Arcadia/Sierra Madre.

Study Overview

The Huntington Beach special study will focus on water, sewer and drainage infrastructure systems in the City potentially affected by major seismic activity on the Newport/Inglewood Fault which bifurcates the community. Primary elements of the study would include: groundwater basin optimization and effects of fault systems thereon; seismic reliability of water storage facilities and water systems; seismic reliability of sewerage system elements including collection and trunk facilities and pumping stations; seismic reliability of closed and open channel storm drain systems and pumping stations; and development of alternative recycled and imported water backup supplies for the area.

A more detailed breakdown of the proposed study would include:

o **Groundwater Supply Reliability**: An evaluation of the potential effects upon groundwater supply reliability in the Huntington Beach area due to faulting and major seismic events.

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DRUG USE IS LIFE ABUSE

- **Seismic Reliability of Water System**: Analysis and assessment of seismic upgrading of water system facilities in the area including: reservoirs, transmission and distribution pipelines, bridge crossings, pump stations, wells, control centers and imported supply facilities.

- **Seismic Reliability of Sewer System**: Analysis and assessment of seismic upgrading of sewer system facilities in the area including: collection and trunk pipelines, siphons and channel crossings, pump stations and control systems.

- **Seismic Reliability of Drainage System**: Analysis and assessment of seismic upgrading of drainage system facilities in the area including: lateral and main pipeline systems, open channels, pump stations and control systems.

- **Backup Emergency Water Supplies**: An assessment of the potential to provide backup level fire protection in high value areas of the City through the backup source of recycles water through the Green Acres Regional system of the Orange County Water District.

- **Regional Water Supply Augmentation**: An analysis of the feasibility of expanded use of regional imported and groundwater supplies through the West Orange County Water Board facilities as additional firm backup supply to the area.

- **Temporary and Standby Power Assessment**: An evaluation of temporary and standby power requirements for all water, sewer and drainage pumping system load demands.

- **Comprehensive Emergency Preparedness Plan**: Development of a comprehensive Emergency Preparedness Plan in conjunction with the City's Fire and Police Departments to ensure that fully coordinated efforts of staff, materials, equipment and communication systems are brought to the fore in the event of a major seismic occurrence.

- **Capital Outlay Requirements**: Development of a complete Capital Improvement Program (CIP) based upon the results of the analyses and study elements noted above to bring seismic protection reliability to the area's water, sewer and drainage infrastructure. The CIP would have a planning horizon of no less than twenty (20) years for full program implementation. Funding strategies for Federal, State and Regional assistance to finance infrastructure system improvements would be developed, including new legislative strategies where deemed appropriate.

- **Economic Base Study**: A survey level economic base study to ascertain the benefit versus cost of planned improvements due to potential damage to water, sewer and drainage system elements from a major seismic event.

This study is critical to the water infrastructure of our city. We ask the Committee to support this study with the appropriation of $900,000 in Fiscal Year 1997.

WEDNESDAY, MARCH 6, 1996.

COLUSA BASIN DRAIN PROJECT

WITNESS

KEITH HANSEN, DIRECTOR, COLUSA BASIN DRAINAGE DISTRICT

Ms. TENNIS. Keith Hansen, Director of Colusa Basin Drainage District.

Mr. HANSEN. Good morning, Mr. Chairman, members of the Committee, Mr. Fazio. I am Keith Hansen, a farmer and County Supervisor, and the Director of the Colusa Basin Drainage District.

The 650,000-acre Colusa Basin Drainage District, located on the west side of the Sacramento River, serves a large watershed exceeding a million acres in Glenn, Colusa and Yolo Counties. It is a rich agricultural and rich wildlife area, including three national wildlife refuges.

The district was formed primarily to address flooding problems. Due to the 1995 storm, these three counties suffered an estimated $100 million in damage and one death. In November, a majority of landowners voted to implement the district's innovative resource management plan which addresses the flood damage, groundwater supplies, surface water storage and water for environmental uses in the watershed. The four projects selected to serve as a demonstration for integrated resource management are two small reservoirs, a groundwater recharge retention basin and the management of the 75-mile drain.

Utilizing the $250,000 appropriation of 1996, the feasibility analysis is being done on the hydrology, geophysical and environmental issues, and the facility options of the operations. The requested $400,000 in Bureau funding will complete preproject development and design for the construction of the conjunctive-use demonstration projects.

The second request is a district request of $200,000 for the U.S. Army Corps of Engineers to conduct a reconnaissance study of the widespread flooding and channel capacities in the CBDD to convey the water through the Yolo Bypass, the need to restore wetlands and habitats in the basin. This integrated resource approach solves a variety of problems for us from a large area with the same dollar, and we think, in an efficient manner.

We would like to thank you for your continued support, and Mr. Fazio in particular.

Mr. FAZIO. Mr. Chairman, I just want to thank my good friend, the Glenn County Supervisor, Keith Hansen, for all the leadership he has provided in bringing the communities together to begin to solve their own problems on the west side of the Sacramento Valley. It is a real active leadership. We hope to be able to help.

Mr. HANSEN. Thank you.

[The statement of Mr. Hansen follows:]

United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable John Myers, Chairman

Testimony of Mr. Keith Hansen

COLUSA BASIN DRAINAGE DISTRICT

FY 1997 USBR Request: $ 400,000
FY 1997 Corps Request: $ 200,000

My name is Keith Hansen. I am a farmer, a County Supervisor, and a director of the Colusa Basin Drainage District.

The 650,000 acre Colusa Basin Drainage District, located on the west side of the Sacramento River, serves a large watershed exceeding one million acres. It covers three counties, Glenn, Colusa and northern Yolo Counties. It not only is a rich agricultural area, but a rich wildlife area as well, including three national wildlife refuges.

The District was formed to primarily address flooding problems. In 1995 alone, these three counties suffered an estimated 100 million dollars in damage and 1 death due to storms. In November, a majority of landowners voted to implement the District's Integrated Management Plan to address flood damage while obtaining other benefits of increasing groundwater supplies, surface water storage, and water for environmental and wildlife uses in the watershed.

Four projects have been initially selected to be developed to serve as a demonstration for integrated resources management. Two small reservoirs, a groundwater recharge detention basin, and management of the 75 mile Drain itself.
Utilizing the $250,000 appropriated for 1996, feasibility level analysis is being done

on hydrologic, geophysical, natural resources and environmental issues; facility options, operations and economic feasibility.

The requested $400,000 Bureau funding will complete pre-project development and design, as well as the environmental work for construction of the conjunctive use demonstration projects.

Additionally, the District requests $200,000 for the U.S. Army Corps of Engineers to conduct a reconnaissance study to determine solutions to flooding problems due to inadequate channel capacities along the Drain and its tributaries. Moderately high stages in the Sacramento River prevent gravity flow from the drain to the river causing widespread flooding to the area. The need exists to assess the drainage system and determine solutions to improve conveyance of flood flows into the Yolo Bypass.

Additionally, as part of the District's Integrated Resource Management Plan, the District desires to investigate opportunities to restore wetlands and environmental habitat in the basin.

We believe our Integrated Resource approach to solving a number of problems across a large area with the same dollar is a wise expenditure of public funds.

Thank you for your continued support.

WEDNESDAY, MARCH 6, 1996.

ELECTRIC FISH BARRIER

WITNESS

JIM BALSDON, VICE PRESIDENT, BOARD OF TRUSTEES, RECLAMATION DISTRICT NO. 108

Ms. TENNIS. Another Sacramento Valley person, from Reclamation District 108, Jim Balsdon, Vice President.

Mr. BALSDON. Mr. Chairman and members of the subcommittee, my name is Jim Balsdon. I am a fourth generation farmer from Northern California and Vice President of the Board of Trustees of Reclamation District 108. The district is comprised of approximately 48,000 acres of irrigated farmland located along the west side of the Sacramento River, about 45 miles northwest of Sacramento. Water for irrigation is obtained from the Sacramento River.

Over the past three years, the district has been testing the effectiveness of the electric fish barrier as an alternative to the traditional positive screen fish barrier. Results of these tests show that the electric fish guidance technology, in combination with the flow distribution system, is capable of successfully guiding fish away from the intake structure at the pumping plant at about one-third the cost of a positive screen barrier. Through 1996, approximately $3 million will have been spent in testing this alternative fish barrier for the district's 130 landowners and water users paying about one-half of the cost.

In order to complete the electric barrier development phase, the district respectfully requests a $1.1 million appropriation for fiscal year 1997 from the Bureau of Reclamation. This level of funding will provide $600,000 toward the program costs for 1997 and $500,000 to reimburse the district for approximately one-third of our prior expenditures and fish barrier development. Results of these investigations will benefit not only our district, but will also be useful to our diverters to the State and Federal resource agencies which are currently being faced with decisions regarding fish protection requirements at unscreened diversions.

We greatly appreciate the support of the committee and the continuing assistance of the Federal and State resource agencies in our efforts to develop this innovative, cost-effective fish protection technology. Thank you.

And also, Congressman Fazio, we appreciate all your support you have had for us in the past, too.

Mr. FAZIO. Mr. Chairman, this is a district that is 125 years old this year, and yet they are on the cutting edge of trying to figure out cost-effective ways to deal with water diversions and the impact that they have on the fisheries. When Nat Bingham gets up here in a minute, we will talk more about that.

But this is something that is going to be a major expenditure not only for the farmers in these districts, but also for the Federal Government, I hope. And as a result of that, we all want to find the lowest possible cost that does the job.

Thank you, Jim.

Mr. BALSDON. Thank you.

[The statement of Mr. Balsdon follows:]

UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

THE HONORABLE JOHN T. MYERS, CHAIRMAN

Statement of Mr. James Balsdon
Reclamation District No. 108
March 6, 1996

Mr. Chairman and members of the subcommittee, my name is Jim Balsdon. I am a fourth generation farmer from northern California and Vice-President of the Board of Trustees of Reclamation District No. 108.

The District is comprised of approximately 48,000 acres of irrigated farmland located along the west side of the Sacramento River within Yolo and Colusa Counties, about 45 miles northwest of Sacramento. Water for irrigation of District lands is obtained by pumping from the Sacramento River.

The District was formed in September 1870 and on March 30th of this year we will hold a 125th Anniversary Celebration. All of you are most welcome to participate and to share in recalling the struggles and history of the early pioneering landowners who built the levees, drains, canals, and pumping plants to irrigate the rich farmland and to stem the floods.

This pioneering legacy is evident today in the District's efforts to develop a cost-effective barrier to protect the endangered chinook salmon and other fish species from being drawn into our pumping facilities. Over the past three years the District has been testing the effectiveness of an electric fish barrier as an alternative to the traditional positive screen fish barrier. Results of these tests, and in particular the testing performed this past year, show that the electric fish guidance technology, in combination with a flow distribution system, is capable of successfully guiding fish away from the intake structure at Wilkins Slough Pumping Plant. Further testing this year will determine how effective this alternative barrier can be in protecting fish.

We are convinced that the electric barrier/flow distribution facility will be a more cost effective solution to protecting fish than the high-cost positive screen barrier. At Wilkins Slough, the capital cost of constructing an electric barrier is approximately one-third the estimated $7 million cost of constructing a positive screen barrier.

Through 1996, approximately $3 million will have been spent in testing this alternative fish barrier, with the District's 130 landowners and water users paying about one-half of the cost. In order to complete the electric barrier development phase in 1997, the District respectfully requests a $1.1 million appropriation for fiscal year 1997 from the Bureau of Reclamation. This level of funding will provide $600,000 toward program costs for 1997 and $500,000 to reimburse the District for approximately one-third of our prior expenditures in fish barrier development. Results of these investigations will benefit not only the District but will also be useful to other diverters and to State and federal resource agencies which are currently being faced with decisions regarding fish protection requirements at unscreened diversions.

We greatly appreciate the support of the Committee, and the continuing assistance of the Bureau of Reclamation, the National Marine Fisheries Service, and other federal and State resource agencies in our efforts to develop this innovative, cost effective fish protection technology. It is our expectation that the testing this year will demonstrate that the electric fish barrier/flow distribution facility is a viable, lower-cost alternative to the positive screen barrier, and that further refinements of the testing during 1997 will confirm its success as well as its usefulness at many other sites along the Sacramento River and elsewhere.

Thank you for your continuing support.

WEDNESDAY, MARCH 6, 1996.

SOUTH BAY WATER RECYCLING PROJECT

WITNESS

LOU GARCIA, DIRECTOR, ENVIRONMENTAL SERVICES DEPARTMENT, CITY OF SAN JOSE

Ms. TENNIS. We will move to our 28th witness from the city of San Jose, Lou Garcia, Director.

Mr. GARCIA. Mr. Chairman, members of the Committee, my name is Lou Garcia. I am the Director of the Environmental Services Department for the city of San Jose. Our city serves a region of 1.1 million population, providing wastewater services encompassing eight cities in the Silicon Valley. I am here to request additional funding for the South Bay Water Recycling project, which is a $140 million project that will recycle 20 million gallons a day of highly treated wastewater for nonpotable uses.

I also want to thank you for the $3.5 million in Federal funding that we have received to date for this project. However, 1997, the Federal fiscal year will be the year that this project will be in construction.

The Bureau of Reclamation is authorized to fund this project up to 25 percent, and we would ask for a $15 million appropriation this year. This project is required by the Endangered Species Act and the Clean Water Act in order to protect the habitat of two endangered species. It will also add to the water supply of our region and will allow for the continued growth of the Silicon Valley.

In 1995, we created 42,000 jobs, but this growth is endangered because we have a flow cap at our treatment plant of 120 million gallons a day, and last summer we exceeded it by about 2 million gallons a day. It is vital that this project stay on target, and we request that this funding be included in the budget. We thank you very much for your past assistance.

Mr. MYERS. Thank you.

Ms. TENNIS. Thank you.

[The statement of Mr. Garcia follows:]

STATEMENT OF LOUIS N. GARCIA
DIRECTOR, ENVIRONMENTAL SERVICES DEPARTMENT
CITY OF SAN JOSE, CALIFORNIA
on behalf of
SOUTH BAY WATER RECYCLING
before the
UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
THE HONORABLE JOHN H. MYERS, CHAIRMAN

March 6, 1996

Summary

South Bay Water Recycling is a $140 million regional project to recycle up to 20 million gallons per day of highly treated wastewater for nonpotable reuse in California's Silicon Valley. The project is being undertaken to comply with federal and state mandates protecting wetlands in the south end of San Francisco Bay. The U.S. Bureau of Reclamation is authorized to fund 25% of project costs through Title XVI of PL102-575. In order to meet the mandatory compliance schedule set by the EPA and the California Water Resources Control Board, area cities and agencies will spend an estimated $90 million for construction of the project during the 1997 federal fiscal year alone. On behalf of all the participating communities, the City of San Jose requests a Congressional appropriation of $15 million to ensure timely completion of the project, which will help preserve the environmental and economic health of Silicon Valley.

Chairman Myers, Members of the Committee:

My name is Lou Garcia, and I am the director of the Environmental Services Department of the City of San Jose, California, "Capital of Silicon Valley." I am here to ask you to appropriate $15 million to the Bureau of Reclamation in the next fiscal year for South Bay Water Recycling (SBWR), our regional program, to recycle up to 20 million gallons per day of treated wastewater from the San Jose/Santa Clara Water Pollution Control Plant for reuse in landscaping, agriculture and industrial applications. The project involves construction of 60 miles of recycled water pipe and pump stations to irrigate over 4,000 acres in high-tech business parks, schools and golf courses at a cost of approximately $140 million. Federal participation is authorized by Title XVI of the Reclamation Projects Authorization Act of 1992 (Public Law 102-575), Section 1607, "San Jose Area Water Reclamation and Reuse Program."

The SBWR program is being implemented by the cities of San Jose, Santa Clara and Milpitas, five sanitary districts, and the Santa Clara Valley Water District as an alternative to a limit on the discharge of treated wastewater to the south part of San Francisco Bay. In 1989, a flow cap was mandated by the US Environmental Protection Agency and the California Water Resources Control Board, which required us to divert fresh water discharges from the salt marsh habitat of two endangered species – the salt marsh harvest mouse and the California clapper rail. Without this project, we will lack the capacity to treat wastewater from residents and businesses, such as manufacturers of printed circuit boards, semiconductors, disk drives and other product critical to the computer industry.

South Bay Water Recycling program deserves your special attention and support for three reasons:

1. The SBWR program is mandated by federal and state environmental laws which have determined the costs and schedule of the program required to divert effluent from the South Bay.

2. This project is essential to the health of the Silicon Valley economy, which is only now recovering from an extended recession. Without this project, the region could face a sewer moratorium, which would threaten our global competitiveness in the high-tech computer industry.

3. By participating in this project, which is highly leveraged with local funds, the federal government has an opportunity to establish a model for urban resource management throughout the United States.

The primary motivation for the timing on this project is the schedule for project completion set by the federal and state government through the Endangered Species and Clean Water Acts. Construction is scheduled to be completed in late 1997 for use in the 1998 irrigation season, and costs during the 1997 federal fiscal year alone are projected to reach $90 million. Unfortunately, appropriations from the Bureau of Reclamation have significantly lagged project expenditures. In 1996, for example, project expenses will exceed $30 million. By contrast our appropriation for the 1996 federal fiscal year, initially approved at $1.75 million, has been reduced still further to only $1.4 million.

The local share of this project is being financed by a combination of bonded debt, cash and in-kind service contributions from participating cities and agencies, which to date have dedicated more than $30 million to the project. An additional $85 million in bonds was sold in November, 1995, which will be repaid out of sewer fees. These fees have increased by as much as 50% over the past five years to cover the cost of environmental programs. Should the Bureau continue to fail in its commitment to reimburse the agencies for eligible SBWR costs, we could be forced to increase sewer fees still further to cover project costs, which would seriously damage the region's economic and employment climate.

Reduced federal support would also result in a cutback in the scope of the recycled water program, limiting the amount of recycled water diverted form the Bay and diminishing our ability to supply water and provide wastewater treatment capacity. There are currently some 4,000 high tech companies in the San Jose Metropolitan Area, employing over 200,000 people. That number could double in the next ten years as computer technology ventures into new markets. But our competitive global economy will not favor those who squander their capital resources, either natural or financial.

It takes ten gallons of water to make one computer chip. Some semiconductor manufacturers in our area use more than a million gallons of water per day. Discharge of this industrial wastewater is stringently regulated, while at the other end of the pipe, these same companies faced mandatory water rationing during the last drought. By giving water a second chance, reducing pollution and reusing a valuable commodity, South Bay Water Recycling will support Silicon Valley businesses, and help to keep our country competitive globally in the aggressive high-tech industries of the future.

San Jose is not alone in confronting these challenges. The successful communities of the next century will be those that make the most intelligent use of all their assets, reducing waste and turning pollution problems into opportunities. All across the nation, cities and towns are faced with the dilemma of minimizing the impacts of wastewater treatment on the environment and the economy. In our own area, we need your continued support for flood control programs being constructed by the Corps of Engineers on the Guadalupe River, and on Coyote and Beryessa Creeks. We are also partners with the Bureau and other cities and agencies participating in and supporting the study of regional water recycling opportunities known as the San Francisco Area Water Reclamation Study.

We appreciate the support for SBWR this committee has shown during the past two years. Since we appeared before this committee last year, we have made significant progress on the design and construction of this project. A $6 million contract was awarded in January, 1996 for construction of the first section of pipe which will bring the water from the treatment plant to the 4400-horsepower transmission pump station. The pump station is now out for bid, with construction slated to begin in June, 1996, and design of the pipeline is almost 50% complete.

Recycled water is "smart" water because it reduces the flow of wastewater to the environment by making more water available for reuse. Now that we are in construction, it is more important than ever that you appropriate the necessary funds so that we can succeed in our efforts to make the most intelligent use of our most valuable resource, and so point the way for other urban areas throughout the country.

Thank you for the opportunity to speak to you today.

WEDNESDAY, MARCH 6, 1996.

EASTERN MUNICIPAL WATER DISTRICT LOAN

WITNESSES

CLAYTON RECORD, DIRECTOR, EASTERN MUNICIPAL WATER DISTRICT

JOHN BRUDIN, GENERAL MANAGER, EASTERN MUNICPAL WATER DISTRICT

Ms. TENNIS. From Eastern Municipal Water District, Clayton Record, Director.

Mr. RECORD. Mr. Chairman, members of the subcommittee and old friends, my purpose here is simply to express our appreciation for your past support and to validate the requests as put forward in our prepared statement that you have before you. Thank you.

Mr. MYERS. Thank you.

Ms. TENNIS. Thank you.

[The statement of Mr. Record follows:]

Eastern Municipal Water District

General Manager
John B Brudin

Legal Counsel
Redwine and Sherrill

Director of The Metropolitan Water District of Southern California
Chester C Gilbert

Treasurer
Rogers M. Cox

Board of Directors
Marion V Ashley, President
Richard R Hall, Vice President
Rodger D Siems
David J Slawson
Clayton A. Record, Jr

Secretary
Mary C White

March 6, 1996

United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable John Myers, Chairman

Mr. Chairman, my name is John B. Brudin, General Manager of Eastern Municipal Water District. I appreciate the opportunity to submit Eastern's request for continued funding of a construction project under the provisions of the Small Reclamation Projects Act of 1956 as amended, P.L. 84-984 Loan Program, with the United States Department of the Interior, Bureau of Reclamation.

RECLAIMED WATER SYSTEM PROJECT

Eastern Municipal Water District is the local sponsor of the Bureau of Reclamation Project. Approval by the Secretary of the Interior for this project was obtained on May 23, 1991. This project provides for a new concept in water management which is resulting in significant water conservation. The Eastern Municipal Water District, like much of the arid west, is faced with a water shortage condition which is continuing to deplete the District's valuable groundwater supplies.

The project is putting into place the construction of a major transmission system and appurtenant works necessary for a Class 2 water supply system, which will 1) reduce the demands on the District groundwater supply; 2) provide for extended agricultural production; 3) provide environmental enhancement creating multipurpose wetlands for the migratory birds of the Pacific Flyway; and 4) create the potential of 990 jobs to bolster the regional economy.

In Fiscal Year 1992, 1993, 1994, 1995, and 1996, the continued support from your committee has provided over $27,000,000 in appropriations which has allowed for the completion of nearly 90% of this vital system. It is the District's understanding that the President's Fiscal Year 1997 Budget includes funding for this project in the amount of $3,887,700 as part of the Bureau of Reclamation Programs. During the California Water Commission hearings on March 1, 1996, the Commission supported a recommendation in this amount. We respectfully request your continued support of our project and this appropriation in the amount of $3,887,700 in the 1997 Fiscal Year Budget. A summary is enclosed.

On behalf of the Board of Directors of Eastern Municipal Water District, we at the District, sincerely appreciate your continued assistance in scheduling the opportunity to appear before your Committee to testify on behalf of the District Project and as part of the California Water Commission presentation.

Respectfully,

John B. Brudin
General Manager

Mail to: Post Office Box 8300 • San Jacinto, California 92581-8300 • Telephone (909) 925-7676 • Fax (909) 929-0257
Main Office: 2045 S. San Jacinto Avenue, San Jacinto • Customer Service / Engineering Annex: 440 E. Oakland Avenue, Hemet, CA
Operations & Maintenance Center: 2270 Trumble Road, Perris, CA 92571 • Telephone (909) 928-3777 • Fax (909) 928-6177

SMALL RECLAMATION PROJECTS
LOAN PROGRAM

NAME OF PROJECT

Reclaimed Water Facilities, Eastern Municipal Water District, San Jacinto, California

AUTHORIZATION

P.L. 84-984 - Small Reclamation Project Act

LOCATION, DESCRIPTION, AND REPRESENTATION

The project is located in Riverside County, California, north of the San Diego County line, east of the City of Riverside and west of the San Jacinto Mountains. Project features include construction of approximately 45 miles of major pipelines, two pumping stations, and a 3 million gallon per day tertiary treatment expansion to reclaim and convey wastewater effluent to wetland areas, recreational lakes, agricultural lands and M&I users. Representation for the State of California Congressional Districts include: CA-43 - Rep. Ken Calvert (R); CA-44 -Rep Sonny Bono (R); CA-48 - Rep Ron Packard (R); and Senators Dianne Feinstein (D); Barbara Boxer (D).

JUSTIFICATION

The project will provide reclaimed water for expansion of three separate wetlands, covering nearly 600 acres as well as provide reclaimed water to over 21,500 acres of irrigated land, thus preserving treated potable water that would have been used without the proposed system. Recycling reclaimed water will also provide other important joint and conjunctive use benefits such as establishment of recreational parks and greenbelts, enhancement of wetlands, wildlife habitat, and the recharge of surplus reclaimed water into underground aquifers to improve water quality and for future drought (banking) management. This secondary water supply will, through exchange and replacement agreements, free-up limited primary water supplies in order to meet the fast-growing domestic and M&I demands in Southern California.

PROJECT PURPOSE

The water reclamation system will provide an alternate water supply system, for presently, water-short lands in the District. The enlargement of water reclamation facilities would decrease the use within the District of our limited imported domestic water supplies.

A major benefit of the project is to provide groundwater basin recharge/replenishment benefit by conveying untreated potable water to a 100 acre recharge basin within an area of the District known as the Little Valley near Bautista Canyon, east of Hemet, California. The recharge of this basin will enhance the declining groundwater supplies of the neighboring communities of Hemet and San Jacinto, California. Additionally, this recharge area will provide environmental enhancement, in the form of wetlands habitat, particularly for the benefit of waterfowl traveling the Pacific Flyway.

The system will also provide the enhancement and enlargement of two other wetland areas. One wetland expansion/creation, approximately 160 acres, is proposed in the general vicinity of the California Fish and Game, San Jacinto Wildlife Refuge. The other wetland expansion/creation is located along the Temescal Creek from Lake Elsinore to the Santa Ana River, encompassing approximately 300 acres. These wetlands areas will also have the potential to function as groundwater recharge areas, so that the water conveyed to these areas will percolate into and replenish the underlying groundwater basins.

PROJECT FINANCING

The District is seeking continued funding from its approved U.S. Bureau of Reclamation, Small Projects Act cost share loan of $31,100,000.

FINANCIAL/ECONOMIC FACTORS:

Repayment: 15 years Loan Factor: 28.2% B/C Ratio: 2:1

FUNDING SCHEDULE:

BUDGET REQUESTS				CAPABILITY		
YEAR	FEDERAL	NON-FEDERAL	TOTAL	FEDERAL	NON-FEDERAL	TOTAL
*FY92	$3,054,465	$500,000	$3,554,465	-0-	-0-	$3,554,45
*FY93	$5,358,380	$2,000,000	$7,358,380	-0-	-0-	$7,358,380
*FY94	$8,682,100	$2,800,000	$11,482,100	$2,000,000	$2,000,000	$15,482,100
FY95	$4,160,000	$2,000,000	$6,160,000	-0-	-0-	$6,160,000
FY96	$6,000,000	$3,000,000	$9,000,000	-0-	-0-	$9,000,000
FY97	$3,887,700	$3,321,400	$7,209,100	<$2,052,155>	<$1,321,400>	$3,373,555

* Actual Expenditure

JOBS CREATED

Up to 990 jobs will be created by design, manufacture, and construction of this project.

TOTAL PROJECT COST $ 46,046,400

PROJECT STATUS

All facilities are either in design or construction with project completion anticipated in June of 1997.

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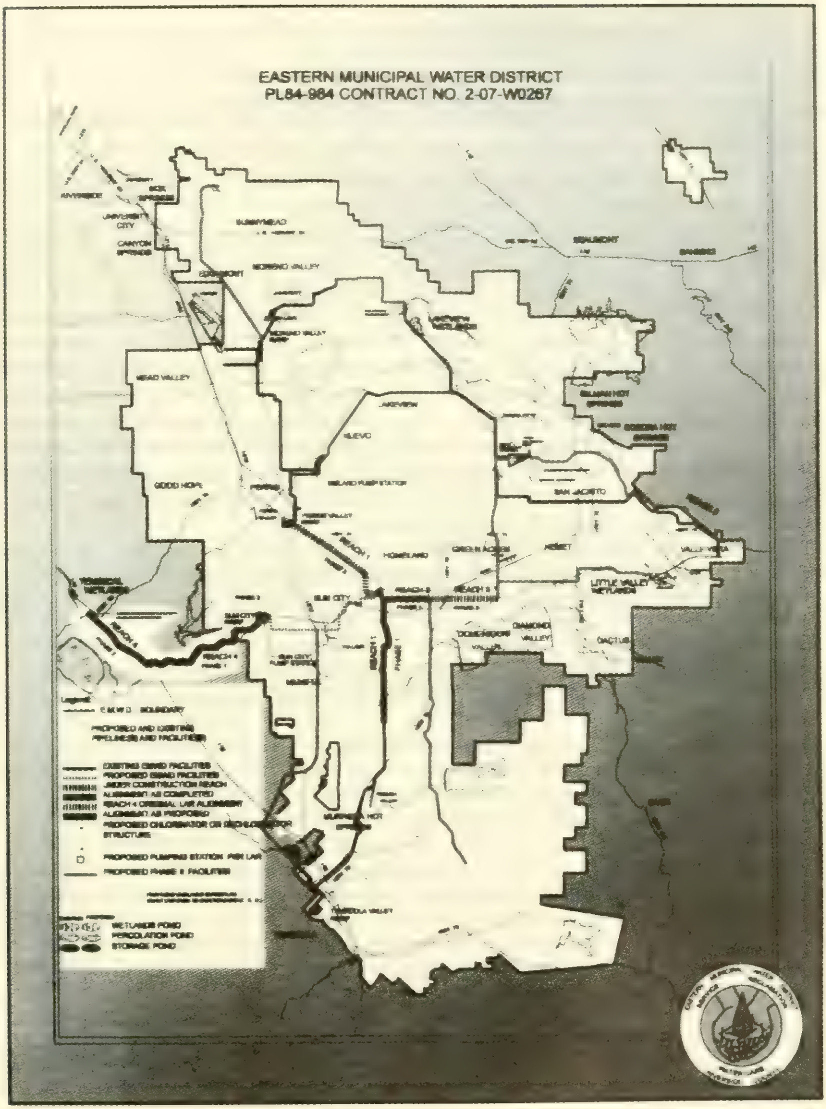
EASTERN MUNICIPAL WATER DISTRICT
PL84-984 CONTRACT NO. 2-07-W0287
RIVERSIDE
BOX SPRINGS
UNIVERSITY CITY
CANYON SPRINGS
SUNNYMEAD
EDGEMONT
MORENO VALLEY
BEAUMONT
BANNING
MEAD VALLEY
LAKEVIEW
NUEVO
SOBOBA HOT SPRINGS
GILMAN HOT SPRINGS
SAN JACINTO
GOOD HOPE
PERRIS
HOMELAND
GREEN ACRES
HEMET
VALLE VISTA
LITTLE VALLEY WETLANDS
SUN CITY
REACH 1
REACH 2
REACH 3
REACH 4
PHASE 1
PHASE 2
DOMENIGONI VALLEY
DIAMOND VALLEY
CACTUS
MURRIETA HOT SPRINGS
TEMECULA VALLEY
Legend:
E.M.W.D. BOUNDARY
PROPOSED AND EXISTING PIPELINE(S) AND FACILITIES
EXISTING EMWD FACILITIES
PROPOSED EMWD FACILITIES
UNDER CONSTRUCTION REACH
ALIGNMENT AS COMPLETED
REACH 4 ORIGINAL LAR ALIGNMENT
ALIGNMENT AS PROPOSED
PROPOSED CHLORINATOR OR DECHLORINATOR STRUCTURE
PROPOSED PUMPING STATION PER LAR
PROPOSED PHASE II FACILITIES
WETLANDS POND
PERCOLATION POND
STORAGE POND

WEDNESDAY, MARCH 6, 1996.

CHINO BASIN DESALINATION PROJECT

WITNESS

NEIL CLINE, GENERAL MANAGER, SANTA ANA WATERSHED PROJECT AUTHORITY

Ms. TENNIS. Santa Ana Watershed Project Authority has Neil Cline, general manager, representing them.

Mr. CLINE. Good afternoon. Mr. Chairman, members of the Committee, on behalf of the Santa Ana Watershed Project Authority, thank you for the opportunity to present this request for your continued Federal assistance in the construction of our desalting plant.

Our desalting systems will be constructed and will be operating to protect the area's groundwater resources from further deterioration, to protect the surface flows of the Santa Ana River from degradation, and to enable us to enter an active conjunctive use program. The plan will be about—will produce 8,000 acre-feet a year, enough water for 40,000 people, being served to local communities. We are salvaging an accumulation of dairy waste that has been a problem for many, many, many years.

The construction of the facility will be funded by an approved loan to the USBR's Small Reclamation Project Loan program. It is an extremely important project to us, and with your help, we will get it done.

Ms. TENNIS. Thank you.

[The statement of Mr. Cline follows:]

United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable John Myers, Chairman

Mr. Chairman, Members of the Committee, on behalf of the Santa Ana Watershed Project Authority (SAWPA), thank you for the opportunity to present this request for continuing Federal assistance in the construction of the Chino Basin Desalination System. SAWPA is a joint powers agency composed of Chino Basin Municipal Water District, Eastern Municipal Water District, Orange County Water District, San Bernardino Valley Municipal Water District, and Western Municipal Water District. These five agencies, serving over 4.0 million people, are responsible for managing the water resources of the Santa Ana River in San Bernardino, Riverside, and Orange Counties in Southern California.

The Chino Basin Desalination Program is the centerpiece of a regional plan to protect water quality objectives in the region and to extend the use of local water resources to satisfy existing and future water supply requirements. The Chino Groundwater Basin, an area of about 220 square miles, is located upstream of densely populated Orange County. Water quality in the region is degrading due to historic and ongoing agricultural activities. Irrigation drainage over the past 100 years has deposited high concentrations of salt and nitrates in the soil and groundwater. At the present time there are over 300,000 dairy cattle concentrated on 15,000 acres of land in the basin. It is estimated that the dairy operations, despite strong efforts to manage quality issues, contribute as much as 27,000 tons of salt annually to the groundwater supplies in the area. Municipal water wells in the communities of Norco, Jurupa, City of Chino, and the City of Chino Hills have been abandoned due to salt and nitrate contamination. It has been determined that if left unchecked the salt and nitrates will further degrade local groundwater, jeopardizing over 50% of the basin's supply, and that downstream water resources in Orange County are equally threatened.

The Chino Desalination System is being constructed and will be operated to protect the areas groundwater resources from further deterioration, to protect the surface flows of the Santa Ana River from degradation, and to facilitate expanded conjunctive use of imported and local water supply. The project will extract and desalt about 10,000 acre-feet per year of salt laden, brackish groundwater from the Chino Basin. Demineralization will be accomplished by installing a desalting plant designed to produce 8.0 million gallons per day of potable water for use in nearby cities and on local farms. The desalters will be supplied poor quality water from extraction wells, carefully located to intercept the sub-surface migration of contaminated water. Approximately 14,000 tons of salts will be removed from the basin annually by this operation. The process of salt removal will produce a heavy saline brine reject which will be transported from the basin in a non-reclaimable waste line and receive additional treatment prior to ocean disposal.

The estimated cost of constructing the desalting plant and appurtenant features is $46,500,000. SAWPA has been successful in acquiring a low interest loan from the State of California under its Agricultural Drainage Water Management Loan Program in the amount of $13,300,000. The Bureau has approved a $33,200,000 loan for the Authority through its PL 84-984 Small Reclamations Project Act Program. We have received one installment of $900,000 in FY 1995 in Bureau funding and anticipate a second allocation of $1.0 million in FY 1996. We respectfully request that the Committee continue your support of the Bureau's loan program so that we will be able to successfully complete this desalting project which is so vital to our region. The loans from the State and Federal government will be repaid from proceeds derived by marketing the desalted water to local communities, who to meet their increasing demands, will otherwise be forced to depend upon imported supply from Northern California, conveyed by the State's Department of Water Resources from the Sacramento-San Joaquin Delta to the Metropolitan Water District of Southern California. The project has the support of local water jurisdictions, the local and State Water Quality Control agencies, local agricultural interests and the Metropolitan Water District. To date, SAWPA has invested $7.5 million in design and rights-of-way acquisition. Construction is expected to begin this fall and the plant is planned to be on-line in November 1997.

The benefits of this important program are:

1. Protection of local ground and surface water supplies.

2. Protecting the environment from continued salinity degradation.

3. Assuring the long-range viability of agriculture in the region.

4. Providing additional water in an area of water scarcity.

5. Providing as many as 1,000 design and construction jobs in an area where unemployment remains among the highest in the United States.

6. Reducing the demand for water from the State's Delta area in Northern California.

Your continuing support of this program will be greatly appreciated by local and regional water resource agencies and the people they serve.

Thank you.

WEDNESDAY, MARCH 6, 1996.

TEMESCAL VALLEY PROJECT

WITNESS

MARK THOMAN, TREASURER, ELSINORE VALLEY MUNICIPAL WATER DISTRICT

Ms. TENNIS. From the Elsinore Valley Municipal Water District, Mark Thoman, Treasurer.

Mr. THOMAN. Mr. Chairman, members of the committee, I appreciate the opportunity to address the committees regarding the Temescal Valley Project.

Our project was approved by the Bureau back in 1995, and they have had funding during 1995 and 1996. We are requesting continued funding through fiscal year of 1997 of $2 million. Design for the project is near completion and construction should start in the third phase of this year.

I want to thank you for the time to be here. Our stuff is on file here.

Mr. MYERS. Thank you.

Ms. TENNIS. I like that. Our stuff is on file.

[The statement of Mr. Thoman follows:]

Elsinore Valley Municipal Water District

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Lake Elsinore, CA 92531-3000
(909) 674-3146
Fax: (909) 674-9872

United States Senate
Committee on Appropriations
Subcommittee on Energy and Water Development
Honorable Pete V. Domenici, Chairman

United Stated House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
Honorable John Myers, Chairman

March 6, 1996

Mr. Chairman, as Treasurer of the Board of Directors of Elsinore Valley Municipal Water District, Lake Elsinore, California, I appreciate the opportunity to address the Appropriations Committees regarding the Temescal Valley Project. The Temescal Valley Project is a public works water project which is being sponsored by Elsinore Valley Municipal Water District to develop and manage local water resources and to improve the economy of western Riverside County and southern California.

The importance of this project as we plan for the next century cannot be overstated. It will ensure the ability of the District to meet the growing water requirements of an expanding population in southern California while preserving the existing water resources on which agriculture has relied for over a century. The project has been conceived in a manner which will keep impacts to the environment to an absolute minimum. Approximately 6,000 acres of citrus are under production in this area. Much of the crop is exported to trading partners in the Pacific Rim, which has a positive effect on the balance of trade with these countries.

The Elsinore Valley Municipal Water District's Temescal Valley Project was funded $600,000 in the 1995 Federal budget and has been allocated $1.4 million, including the Treasury Department's portion for 1996. Design for the project is near completion and it is anticipated that construction will start in the latter part of the third quarter of 1996.

In accordance with the funding and allocation projects agreed to by the NWRA Committee, it is requested that support be given for $2 million, including both the Bureau of Reclamation and Treasury shares for the fiscal year 1997 budget. This will allow Elsinore Valley Municipal Water District to continue the Temescal Valley construction through budget year 1997.

Thank you,

Mark Thoman
Treasurer, Board of Directors,
Elsinore Valley Municipal Water District

Ms. TENNIS. West Basin Municipal Water District, Richard Atwater, General Manager.

Mr. ATWATER. I thank you, Mr. Chairman and Congressman Fazio. I will be brief.

We have been in—since fiscal year 1994, you have funded our projects for the West and Central Basins. To date, we have spent about $200 million on our water recycling projects; we receive $20 million in Federal grant funds, and of course, what we would like to do is see the remaining 25 percent cost share from the Federal Government.

This is a case where we advanced the money. We built the projects. We have been on line for the last year.

Congressman Fazio has visited our facility south of LAX. I think it has been a great success. Refineries like Chevron and Mobil are on the line, and we just ask respectfully that the continued funding this year will achieve our goal of the Federal Government meeting its match, and we will complete our goal, as Congressman Horn and Jane Harman indicated, to drought-proof L.A. County and benefit many other areas of the State. Thank you.

Mr. FAZIO. All of us up north like you guys' recycling your water, and we want to help. We should.

Ms. TENNIS. Interesting.

WEDNESDAY, MARCH 6, 1996.

ORANGE COUNTY REGIONAL WATER RECLAMATION PROJECT

WITNESS

ROBERT BEIN, ORANGE COUNTY BUSINESS COUNCIL, ON BEHALF OF ORANGE COUNTY WATER DISTRICT

Ms. TENNIS. For the Orange County Water District, Robert Bein, Orange County Business Council.

Mr. BEIN. Thank you. First of all, I wonder if it would be possible, Mr. Chairman, to get cardboard cutouts of you and Mr. Bevill for the years ahead so that we could derive the courage to testify here, due to your courtesy and encouragement over the years. We really appreciate it.

Mr. MYERS. You are in capable hands for the future. Thank you, though.

Mr. BEIN. I am here representing the thirsty people and businesses of Orange County as Chairman of the Water Resources Education Committee for the Orange County Business Council and as CEO of Robert Bein, William Frost & Associates. I am here to testify on the new state-of-the-art water supply project called the Orange County Regional Water Reclamation Project.

I am sure that all of you, after what you have heard today, are very much aware of the water situation in California and the fact that derivation of new sources of water are critical to the future for our businesses and our people. Here we have a project that does exactly that. It is new. It is state-of-the-art. It is cost-effective. It is environmentally enhancing. It is a reliable local water project, and it will supply regional water because of its ability to treat sewage and put it into an underground water basin in the Santa Ana River, which would then be used as potable water downstream.

What we are requesting is that the Bureau of Reclamation fund $600,000 for this year's appropriation for the project as phase one of the $170 million project, and the project that will provide water in a state-of-the-art manner in the future.

Thank you very much, Mr. Chairman.

Ms. TENNIS. Thank you so much.

[The statement of Mr. Bein follows:]

United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable John Myers, Chairman

My name is Bob Bein. I am representative of the Orange County Business Council, serving as Chairman of the Water Resources Committee, and CEO of Robert Bein, William Frost & Associates.

I am here to testify for the Orange County Water District's new innovative project called the Orange County Regional Water Reclamation Project (OCR). As you are aware, California's water supply is becoming increasingly unreliable, and in an attempt to develop a new, cost-effective, reliable local water supply the water district is evaluating a large-scale reclamation project that will produce reclaimed water primarily for groundwater recharge.

This project will be staged to produce 100,000 acre-feet per year of new water supplies, which will increase water reliability for the entire region. It will incorporate the newest and most advanced water treatment technologies to produce water of improved quality at a competitive rate.

I respectfully request the Energy and Water Development Subcommittee to support this project with $600,000 funding towards phase one of this $170 million dollar project.

1994

United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable John Myers, Chairman

Abstract

California's water supply is becoming increasingly unreliable, and investments to make water more reliable must be seriously investigated. In this arid region of Southern California, reclaimed water is the only "new" source on the horizon.

The Orange County Water District, together with the County Sanitation Districts of Orange County, are exploring the feasibility of building a water reclamation project that would produce up to 123 million m^3/year (100,000 afy) of highly treated wastewater, using the latest and most advanced technological processes available.

Introduction

In response to projections of future droughts and water shortages, local water agencies, including the Orange County Water District (OCWD) have been evaluating alternatives for increasing local water supplies. According to the Metropolitan Water District of Southern California (MWD), the imported water agency serving nearly 16 million citizens in Southern California, the region needs to develop approximately 1.4 billion m^3 (1.1 million AF) of new water supplies by the year 2000 to sustain the region during prolonged drought conditions.

In an attempt to develop a new, cost-effective, reliable local water supply, OCWD and the County Sanitation Districts of Orange County (CSDOC) are jointly evaluating a large-scale reclamation project that will produce reclaimed water primarily for groundwater recharge.

Wastewater Reclamation

OCWD is a pioneer in the use of treated wastewater for augmenting local supplies. OCWD and CSDOC have been successfully working together on reclaimed water projects since 1975, beginning with Water Factory 21, and more recently with the Green Acres Project, initially completed in 1991.

Water Factory 21 is an important part of OCWD's approach to reducing dependency on imported water. The Water Factory treats secondary effluent using lime recalcination, multimedia filtration, carbon adsorption, disinfection, and reverse osmosis. The product water is blended with deep well water and injected into the groundwater basin to maintain a hydraulic barrier against seawater intrusion. The quality of the injected water has consistently met or exceeded regulatory agency requirements.

The Green Acres Project currently delivers 4.1 million m^3/yr (3,300 afy) of reclaimed water to 28 end-user sites. The water is treated to meet Title 22 requirements for agricultural and landscape irrigation, and industrial uses. OCWD plans to extend the service reach of the project and increase production to 6.2 million m^3/yr (5,000 afy).

Wastewater reclamation has proven to be economically and technically feasible, and has gained widespread support. While imported water prices have risen, advancements in treatment technologies have made wastewater reclamation more cost effective.

The OCR Project

OCWD and CSDOC are exploring the feasibility of building an innovative reclaimed water project that would treat secondary treated wastewater at a cost competitive with other alternative water sources. Orange County Regional Water Reclamation Project (OCR Project) water will be primarily dedicated to groundwater recharge.

Consistent with its commitment of improving and promoting new treatment technologies for purifying treated wastewater, OCWD will incorporate various emerging advanced technologies, such as microfiltration (MF), reverse osmosis (RO) and ultrafiltration (UF), to remove virus and bacteria, total dissolved solids and total organic carbon.

The proposed project would convey the highly treated water 21 km (13 miles) along the Santa Ana River via a pipeline 1.83 meters (6 ft) in diameter. The pipeline would distribute the water in OCWD's 6.5 km^2 (1600 acres) of existing groundwater recharge facilities in Anaheim. Alignment with the river would be less costly and would minimize environmental impacts.

In addition, the pipeline will travel through the center of industrial Orange County. OCR Project water could be plumbed to distribute water for landscape irrigation and for use by water-reliant industries along the corridor.

The OCR Project would be developed in three phases. As envisioned, the project would produce 61.7 million m^3/yr (50,000 afy) in the year 2000 and would increase in increments to between 92 million m^3/yr (75,000 afy) and 123 million m^3/yr (100,000 afy) by the year 2020. The reclaimed water would provide a supply to OCWD's existing recharge basins during most months of the year, increasing water reliability in the region.

New Technologies

Microfiltration and Ultrafiltration offer the potential for improved pretreatment for the reverse osmosis process. A full-scale MF test unit in operation at OCWD filters 32-L/s (500 gpm) of secondary treated wastewater using a 90 cylindrical modular system. Currently, the OCR Project is considering a treatment train consisting of MF as a pretreatment process for RO (Figure 1).

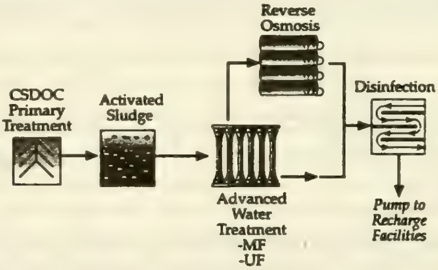


Figure 1

MF will remove bacteria and virus, while RO would remove carbons, salts, ions and even atomic radii. Sodium hyperchloride or ultraviolet filtration, new disinfection methods, would be employed as opposed to standard chlorine disinfection.

MF uses pressurized capsules containing 18,000 hollow-fiber polypropylene membranes, 0.6 millimeters in diameter on the outside. The MF cylinders are four-feet long and four inches in diameter.

The filter process works as pressure is applied to the water entering the cylinders, forcing it through the walls of the hollow fibers. Contaminants accumulate on the outside surface of the fibers, while the filtered water passes through the walls and collects inside the 0.2 millimeter diameter area.

The OCWD test unit removes contaminants at 30 minute intervals with a gaseous backwash, and the membranes are cleaned periodically with a 2 percent sodium hydroxide, containing various surfactants and chelating agents.

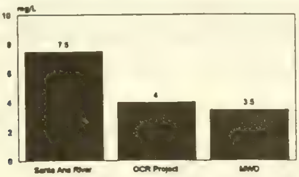
RO membranes of the thin film composite low pressure-high rejection type (TFC) will also be evaluated by OCWD for both treatment reliability and cost effectiveness. Manufacturers are currently developing new RO units that would require less operating pressure while maintaining their superior treatment capabilities.

Water Factory 21, which has a 18,900 m³ (5 mgd) RO system, has experienced improvements in RO membrane rejection rates and a reduction in feed pressure and costs since the project began in 1975 using the cellulose acetate (CA) membranes. However, The TFC membranes require even less pressure, 690-1,242 kPa (100 - 180 psi), compared to 1,553 kPa (225 psi), and outperform the CA membranes with a higher rejection percentage.

Water Quality

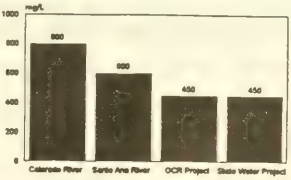
In addition to improved water reliability and efficiency, the OCR Project also offers water quality benefits. The quality of this reclaimed wastewater would meet all health standards required by the State Department of Health Services, and will be even better than the quality of Santa Ana River water currently received from up-stream dischargers for recharge.

The current recharge supplies for the Orange County groundwater basin are 84 percent upstream treated wastewater discharges and storm flows, and approximately 16 percent rising groundwater and MWD imported supplies. In terms of total dissolved solids, total organic carbon and turbidity, OCR Project water is expected to be of better or equal quality than the existing recharge supplies (Figures 2 and 3).



Comparison
Total Organic Carbon (TOC)

Figure 2



Comparison
Total Dissolved Solids (TDS)

Figure 3

As part of the planning process for the OCR Project, OCWD is currently coordinating with the regulatory and scientific communities on a three-year effort to conduct the Santa Ana River Water Quality and Health Effects Study. The Study contains several components, including hydrogeological investigations, chemical characterization, microbial characterization, toxicological studies, an epidemiological study, chemical transport and removal, health risk assessment, and the establishment of a health effects advisory panel.

This study, already underway, will help OCWD determine the safety of existing recharge operations, evaluate potential impacts of reclaimed water on the groundwater basin and generate the necessary information for regulatory approval.

Costs

Based on the preferred treatment train, capital costs for Phase I of the OCR Project are estimated at $151.0 to $176.5 million, in 1995 dollars. Phase II is estimated to be at $52.9 to $65.5 million for capital costs.

Because the OCR Project is being evaluated to include emerging technologies and maximize OCWD's current recharge capabilities, without requiring any additional land purchases, the project is expected to produce water at a competitive rate.

The Phase I unit cost would vary depending upon the level of treatment necessary to comply with regulatory requirements, Federal grant funding and the MWD Local Projects incentive contribution. The unit cost is estimated to range between \$0.35 m^3 (\$448 AF) and \$0.54 m^3 (\$660 AF). Compared to projected imported water costs (\$574 AF), ocean desalination (\$1300 - \$2000 AF) and nonpotable recycled water (\$590 - \$890 AF), the unit costs of producing the OCR Project are competitive.

Conclusion

Implementation of the OCR Project will allow the northern and central Orange County area to increase its use of local water supplies, alleviate the effects of dry years, and reduce its reliance on imported water sources. The coordinated effort of all agencies committed to this project, along with the advancements in treatment technologies, will bring reclaimed water for potable use one step closer to reality.

Reference

1) Orange County Water District and County Sanitation Districts of Orange County. Orange County Regional Water Reclamation Project Feasibility Study Report; 1995.

WEDNESDAY, MARCH 6, 1996.

SAN DIEGO AREA RECLAMATION AND REUSE—ESCONDIDO WATER RECLAMATION PROJECT

WITNESS

JERRY C. HARMON, COUNCIL MEMBER, CITY OF ESCONDIDO

Ms. TENNIS. From the City of Escondido, Jerry C. Harmon, Council Member.

Mr. HARMON. And if I may, I would like to introduce Ralph Gunnarson, our Assistant City Manager.

I want to say thanks to members of the subcommittee, special thanks to Chairman Myers, Ranking Democrat Bevill, and to members of the California delegation Riggs and Fazio.

With your support, our project is under way and a major portion of it will be started this summer. We are working with State and Federal officials, together with the City of San Diego, to explore uses of this water for—potentially for potable purposes. We would not be in this position without your support, and we want to let you know we appreciate it. The priority you place on our project, together with the continuing priority of the State of California, is most welcome to the citizens of this desert that we call northern San Diego County.

In closing, let me express my personal appreciation to you, Mr. Chairman—and to Mr. Bevill, even in his absence, for the record—for the 30 years you have given to your country and the 20 years you have devoted to the Nation's energy and water needs. We appreciate it and we recognize it. Godspeed in your future endeavors, and I would be remiss if I didn't say something philosophical in the process of closing.

Remember there are only three things that we can do in the process of making decisions. We can do them either out of fear, anger or love. And I suspect you are all making decisions out of love. Thank you.

Mr. MYERS. Thank you for the kind words.

Ms. TENNIS. Thank you.

[The statement of Mr. Harmon follows:]

Jerry C. Harmon, City Councilmember
(619) 741-4638, FAX (619) 741-7541

CITY OF
ESCONDIDO
201 NORTH BROADWAY
ESCONDIDO, CA 92025

Testimony of

JERRY C. HARMON

Council Member and Former Mayor, City of Escondido, California

on behalf of the

ESCONDIDO WATER RECLAMATION PROGRAM

as part of the

San Diego Area Water Reclamation Program

March 6, 1996

before the

Subcommittee on Energy and Water Development

Committee on Appropriations

United States House of Representatives

The Honorable John T. Myers, Chairman

Sid Hollins, Mayor
Elmer C. Cameron, Mayor Pro-Tem
Richard A. Foster
Jerry C. Harmon
Lori Holt Pfeiler

Good morning Mr. Chairman and members of the subcommittee. I am Jerry Harmon, City Council Member and former Mayor of Escondido, California. I appreciate the opportunity to appear before you again this year in support of funding for the Escondido Water Reclamation Program. I would like to thank the subcommittee, in particular you, Mr. Chairman, former Chairman Bevill, and Mr. Fazio for the support you have shown the program in each of the last three appropriations bills. I also would offer a special thank you to Mr. Myers and Mr. Bevill for your 30 years of dedicated public service in the U.S. House of Representatives and 20 years on the Subcommittee on Energy and Water Development. You each deserve recognition for your tireless efforts in improving the lives of millions of Americans.

The Escondido Water Reclamation Program is a key component of San Diego County's comprehensive regional water management plan. The Escondido Water Reclamation Program will provide as much as 4.2 billion gallons per year of reclaimed water to residents of the City of Escondido and surrounding communities in San Diego County. Those expected to participate in the program include the cities of Escondido, San Diego, and Poway; and the Olivenhain Municipal Water District and the Rincon del Diablo Municipal Water District (MWD).

Escondido already has started construction on a distribution system to deliver one billion gallons per year of reclaimed water to users in Escondido and the Rincon del Diablo MWD. Initial users will include public schools and parks, private nurseries, public buildings, public and private golf courses, homeowners associations, manufacturers, roadway landscaping, and agricultural customers.

The Escondido Water Reclamation Program has received federal funding for three consecutive years for a total federal contribution of $2.22 million. With this federal support, we have made significant strides with the program. These activities include:

- completion of construction drawings and specifications for both plant and distribution systems;
- EIS approval;
- partial construction of distribution pipelines to deliver future reclaimed water;
- research projects on potential agricultural applications of reclaimed water, intermittent live stream discharge, on-site reclamation retrofit design, and brine discharge.

In addition, this summer we will break ground on a major part of our project that will feature an 18 million gallon per day water reclamation facility at the city's existing secondary treatment facility, the Hale Avenue Resource Recovery Facility.

Along with your support, Escondido city officials have enjoyed a cooperative and close working relationship with the U.S. Bureau of Reclamation. Our program was included in the President's FY 1996 budget request, and we believe we will again have the support of the Bureau in FY 1997.

I also think it is important to demonstrate the broad support the Escondido Water Reclamation Program, as part of the San Diego Area Water Reclamation Project, has received. Local and state officials who, on a daily basis, live with the water concerns and needs in southern California have been forthright with their support of the Escondido program. The San Diego County Water Authority again this year has placed great importance on the continued progress of the San Diego Area Water Reclamation Project.

At the state level, the California Water Commission again has identified the Escondido program on its list of recommended programs. The Commission has recommended an appropriations of $18 million for FY 1997 which, with last year's $9 million request demonstrates their continued strong support for the San Diego Area Water Reclamation Project.

Mr. Chairman and members of the subcommittee, I respectfully ask for your continued support for this long-term solution to San Diego County's waste water and reclaimed water needs.

WEDNESDAY, MARCH 6, 1996.

SAN DIEGO AREA WATER RECLAMATION PROGRAM

WITNESS

VALERIE STALLINGS, VICE MAYOR, CITY OF SAN DIEGO

Ms. TENNIS. From the City of San Diego, Valerie Stallings, Mayor.

Ms. STALLINGS. No.

Ms. TENNIS. Vice Mayor. Excuse me.

Ms. STALLINGS. No. Our mayor would not be happy to have me called Mayor.

Ms. TENNIS. Sorry. I am sure she wouldn't.

Ms. STALLINGS. Thank you. It is appropriate, as a grand niece of the Speaker of the House, Sam Rayburn, that I am here testifying today; and I want to thank you, Mr. Chairman and Mr. Fazio. It is good to see you.

The City of San Diego, with only nine inches of annual rainfall, provides water service as well as wastewater collection, treatment and disposal service to a growing metropolitan area of almost two million people. The city imports over 90 percent of its water supply from the Colorado River and Northern California sources, as Mr. Fazio well knows.

Because it is essential that we become more independent, we have begun a multipronged, long-term effort to reduce regional dependency on these imported water supplies. Upon completion of our reclamation projects, the city will have an estimated $1 billion of capital investment in this program.

As you can imagine, these costs represent a heavy financial burden for the city to bear alone; and as elected officials, you know how hard it is to raise rates. So your support for Federal participation will help make our innovative water supply program a reality.

As a first prong in our plan, San Diego is undertaking a regional water reclamation program which will ultimately provide over 8.6 billion gallons of reclaimed water annually. Our first facility will be completed at the end of 1996.

Before I was elected to office, I worked for 20 years as a cancer researcher at the Salk Institute for Biological Studies. I can therefore appreciate being part of San Diego's cutting-edge technology, and that brings us to the second prong of our plan.

The city's water repurification project will use that San Diego-developed cutting-edge technology to treat 6.5 billion gallons of reclaimed water, purifying it and bringing it up to drinking water standards. These two programs, reclamation and repurifying, represent greater than 10 percent of the current regional needs. These programs make both environmental and economic sense.

Our water repurification program has far-reaching potential not only for the San Diego region and the entire State of California, but for many other cities as well, who will need this technology in the 21st Century. Already scientists and engineers from all over the world have visited our prototype construction site, and I invite you to also come and visit and see at least our wastewater projects.

The Reclamation, Wastewater and Ground Study and Facilities Act authorizes the Secretary of the Interior to provide financial support for San Diego Water Reclamation projects. The City of San Diego respectfully requests the committee recommend appropriating funds in the amount of $18 million in fiscal year 1997 for the City of San Diego's Water Reclamation program.

I would like to leave you with one last important thought: This repurification program will create drinking water from material that until this time has simply been dumped in the ocean.

Thank you very much for your time, your patience and for the support that you have already given us.

Mr. MYERS. Thank you.

Ms. TENNIS. Thank you.

[The statement of Ms. Stallings follows:]

February 23, 1996

United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable John Myers, Chairman

SAN DIEGO, CALIFORNIA WATER RECLAMATION PROGRAM

The City of San Diego provides water service as well as wastewater collection, treatment and disposal service to a growing metropolitan area of two million people. The City receives 90 percent of its water supply from Colorado River and northern California sources, hundreds of miles distant from the City. Located at the tail end of this extensive aqueduct supply system, San Diego is most vulnerable to outages or reductions in supplies from these sources. In conjunction with its wholesale water supplier, the San Diego County Water Authority, the City is engaged in a long-term effort to reduce regional reliance on imported water supplies. The San Diego Water Reclamation Program is critical to the success of this effort.

The City will have invested over $200 million in water reclamation facilities through this fiscal year, and has programmed another $100 million in fiscal year 1997 to continue these efforts. Upon completion of the water reclamation and recycling projects in the next 20 years, the City will have an estimated $1 billion of capital investment in this program. The City's projects include 4 new water reclamation plants with a combined capacity of 57 million gallons per day (construction of the 30 mgd North City Water Reclamation Plant is about 70 percent completed) and over 100 miles of reclaimed water distribution system pipelines; an innovative water repurification project to treat reclaimed water to a quality suitable for potable reuse; and a groundwater project providing for conjunctive use of reclaimed water and other sources of supply.

Section 1612 of Public Law 102-575, the Central Valley Project Improvement Act, authorizes the Secretary of the Department of Interior to provide financial support for water reclamation projects in the San Diego area. The U.S. Bureau of Reclamation is authorized to participate in the planning, design and construction of water reclamation projects serving the San Diego area at a federal cost-share of up to 25 percent. Based on the criteria established by the Bureau of Reclamation regarding funding eligibility, approximately $70 million through this fiscal year, and $170 million of the projected expenditures through FY 1997 are eligible for federal funding. Nearly half of the $1 billion of projected expenditures over the next 20 years would be eligible for the 25 percent federal funding.

These costs represent a heavy financial burden for the City to bear alone. Federal participation will help make this innovative water supply program a reality. Therefore, the City of San Diego respectfully requests the Committee to recommend appropriating funds in the amount of at least $9 million in FY 1997 for the San Diego region through the Bureau of Reclamation program.

SAN DIEGO AREA WATER RECLAMATION PROGRAM

The San Diego Area Water Reclamation Program is an ambitious, long-term program designed to decrease regional reliance on imported water supplies. The Program is a cooperative effort by the cities of San Diego, Escondido, and Poway; the Otay Water District; the Padre Dam Municipal Water District; the Sweetwater Authority; the Tia Juana Valley County Water District; and San Diego County Water Authority. Together, these agencies have developed a system of interconnected water reclamation projects that will make the best use of existing and planned water reclamation facilities and result in a cost effective and efficient use of local water resources.

When completed, the San Diego Area Water Reclamation Program will serve an area of more than 700 square miles, from the agricultural valleys near the City of Escondido in the north to the expanding business centers along the international border with Mexico in the south. Ultimately, almost 25 billion gallons (75,750 acre-feet) will be added annually to the region's scarce local water supply, more than doubling the current average local water supply. Facilities to be constructed include up to ten new or expanded water reclamation plants, a state-of-the-art water repurification facility, and hundreds of miles of reclaimed water delivery pipeline.

Implementation of the San Diego Area Water Reclamation Program will produce both economic and environmental benefits. The development of local reclaimed water supplies will provide opportunities for environmental enhancement projects within San Diego County and reduce the demand for imported water from the Sacramento-San Joaquin River Delta, an environmentally sensitive water body of national significance. The availability of a reliable local water supply is also critical to the region's long-term economic health and its ability to attract and retain employers. In the near-term, construction of the reclamation facilities will stimulate the local economy by creating jobs in construction-related industries. After the facilities are completed, many high-wage, high-skill jobs will be created in the operation and maintenance fields.

Construction is already under way for a number of these reclamation facilities. The City of San Diego has completed about 70 percent of the construction of its flagship reclamation facility, the North City Water Reclamation Plant. While still in the planning stages, the proposed Water Repurification Program could have far-reaching consequences for both the San Diego region and the State of California. This innovative water supply project will treat reclaimed water to a quality standard equal to that of untreated water supplies. The repurified water would be stored in a local reservoir for subsequent potable uses. If implemented on a wide scale, water repurification technology could help to solve California's long-term water supply problem.

With an annual cost in the range of $900-$1,200 per acre-foot, the San Diego Area Reclamation Program is competitive with the development of new imported or other local water supplies. However, the level of capital investment makes it a heavy financial burden for the local agencies. The vast majority of the capital costs would have to be funded by local ratepayers. The financial feasibility of this ambitious water supply development project, if funded solely with local resources, is questionable. Federal participation would provide the means to ensure the project is constructed and the benefits realized.

CITY OF SAN DIEGO REGIONAL WATER RECLAMATION PROJECT

The City of San Diego is undertaking a regional water reclamation program which will ultimately provide over 8.6 billion gallons (26,500 acre-feet) of reclaimed water annually to users within the City of San Diego and surrounding communities. The proposed regional reclamation system will include four new water reclamation plants: one in northern San Diego, one in central San Diego, and two in southern San Diego near the international border with Mexico. These water reclamation facilities will serve commercial, industrial and residential customers through a network of over 125 miles of distribution pipeline.

Northern/Central Regional Water Reclamation System

The City of San Diego is scheduled to complete construction of its flagship reclamation facility, the 30-million-gallon-per-day (mgd) North City Water Reclamation Plant (North City WRP), in 1997. The North City WRP could ultimately provide over 4.5 billion gallons (14,000 acre-feet) of reclaimed water annually to meet commercial, industrial and landscape irrigation demands in northern and central San Diego and the southern portions of the neighboring City of Poway. Reclaimed water will be delivered to over 750 user sites via an extensive network of pump stations and pipelines. The City of Poway has completed a portion of its southern reclaimed water distribution system and will complete the remaining portions of the system in time to take deliveries from the North City WRP. Initial users will include the internationally known Torrey Pines Golf Course, Miramar Naval Air Station, and CalTrans, as well as numerous schools, parks, nurseries and residential homeowner associations.

Construction of the North City WRP is creating badly needed jobs in San Diego's construction-related industries. The City estimates that this project alone will generate 4,400 job-years of work for the local community. Construction of the northern/central distribution system is expected to generate an additional 4,200 job-years of work. After the plant is completed, many high-wage, high-skill jobs will be created in the operation and maintenance fields. The development of a reliable local water supply will improve the long-term health of the San Diego economy by enhancing the region's ability to attract and retain employers.

A future reclamation plant is planned for the commercial center of San Diego to supplement reclaimed water from the North City WRP. The proposed 8-mgd Mission Valley Water Reclamation Plant (Mission Valley WRP) could provide 1.3 billion gallons (4,000 acre-feet) of reclaimed water annually for the irrigation of schools, parks, commercial and tourist facilities, cemeteries, nurseries, golf courses, freeway embankments and street medians. This supplemental source of reclaimed water would allow the North City WRP to serve new customers in the developing communities in northern San Diego.

Southern/Otay Regional Water Reclamation System

Construction of the North City WRP will be followed by the construction of the 7-mgd South Bay Water Reclamation Plant (South Bay WRP) near the international border with Mexico. This area is fast becoming a focal point for industrial and commercial development due to its proximity to Mexico and the opportunities that will arise with the advent of the North American Free Trade Agreement. The South Bay WRP will provide almost one billion gallons (3,000 acre-feet) of reclaimed water annually to users in southern San Diego; the Otay Water District; and the cities of Chula Vista, Imperial Beach, and Coronado. Reclaimed water will be delivered to approximately 50 commercial, industrial, and agricultural user sites through an interconnected distribution system. The southern distribution system is scheduled for completion by 2001, concurrent with the start-up of the South Bay WRP.

The estimated costs (in 1996 dollars) for the portions of the City of San Diego Water Reclamation Program which are eligible for PL 102-575 federal funding are as follows:

Northern/Central Regional Water Reclamation System

North City WRP	$ 46,068,000
Mission Valley WRP	17,040,000
Northern/Central San Diego Distribution System	170,273,000
Subtotal	$233,381,000

Southern/Otay Regional Water Reclamation System

South Bay WRP	$ 17,213,000
Southern San Diego Distribution System	25,901,000
Otay Valley WRP	30,000,000
Subtotal	$ 73,114,000

Total	$306,495,000

CITY OF SAN DIEGO/SAN DIEGO COUNTY WATER AUTHORITY WATER REPURIFICATION PROGRAM

The City of San Diego and the San Diego County Water Authority (SDCWA) are planning to use cutting-edge technology to purify up to 6.5 billion gallons (20,000 acre-feet) of reclaimed water annually to a level equivalent to that of existing imported water supplies. The Water Repurification Project is the natural outgrowth of a multi-year health effects study conducted by the City of San Diego. The health effects study showed that the quality of repurified water is comparable to the quality of imported raw water supplies and has no health effects.

The City of San Diego and the SDCWA propose to construct a water repurification facility with a capacity of up to 20-million-gallons-per-day (mgd) to treat reclaimed water from the North City Water Reclamation Plant. The repurified water would be transported over 20 miles to the San Vicente Reservoir for blending with imported raw water supplies. The blended water would eventually be conveyed via the existing El Monte Pipeline to the Alvarado Filtration Plant. There the water would undergo additional filtration and disinfection before being introduced into the City's potable water delivery system.

The City of San Diego and the SDCWA conducted a detailed feasibility study which indicated the proposed project is both technically and economically feasible. The State of California Department of Health Services reviewed the feasibility study and conceptually approved the proposed project. A citizens advisory committee convened by the City and the SDCWA concluded that there is sufficient information available to establish the suitability of water repurification as a supplement to the San Diego region's water supply.

The Water Repurification Program is expected to replace the less cost-effective elements of the City of San Diego's proposed non-potable distribution system. Implementation of the Water Repurification Program in combination with selected elements of the non-potable distribution system would allow the City to achieve the most efficient use of water from its North City WRP. Should the Water Repurification Program prove feasible, it could begin operation as early as 2000.

The proposed Water Repurification Program has potentially far-reaching consequences for both the San Diego region and the State of California. California has a wastewater stream of some 2.5 to 3 million acre-feet per year, the vast majority of which is going unused. By providing for the near total recovery of this non-traditional resource, the Water Repurification Program could help to solve California's chronic water supply problem.

The estimated cost of the Water Repurification Program in 1996 dollars is $114,800,000, which includes $72,800,000 for the advanced water treatment facility and $42,000,000 for the repurified water conveyance pipeline and pump station. Cumulative expenditures through fiscal year 1997 are projected to total $17,600,000.

SAN PASQUAL GROUNDWATER PROJECT

The proximity of the San Pasqual Groundwater Basin to the City of Escondido's Hale Avenue Resource Recovery Facility (HARRF) provides a unique opportunity for the conjunctive use of reclaimed water and groundwater supplies. The San Pasqual Valley, an agricultural preserve located within the incorporated limits of San Diego, contains wetland, riparian and other sensitive habitat. The world-renowned San Diego Wild Animal Park is also located within the preserve's boundaries. The existing City of San Diego's 1-mgd San Pasqual Aquaculture Plant provides reclaimed water for irrigation purposes to agricultural customers in the Valley and residential and commercial users in the community of Rancho Bernardo.

The City of San Diego proposes to construct a San Pasqual Groundwater Project which will recharge up to 2.6 billion gallons (8,000 acre-feet) of reclaimed water from the HARRF into the San Pasqual Valley Groundwater Basin. The reclaimed water will blend with natural sources of recharge and will subsequently be extracted and treated at a 5-mgd reverse-osmosis facility, to be located at the San Pasqual Aquaculture Plant site.

The San Pasqual Groundwater Project will add approximately 2.6 billion gallons (8,000 acre-feet) to local water supplies. In addition to the benefits derived from job creation in the construction and service industries, implementation of this project will result in the preservation of sensitive habitat and the protection of a vital watershed area. Improvement of the groundwater quality in the basin will also help farmers reliant on groundwater supplies remain economically viable and maintain the San Pasqual Valley's agricultural identity.

The estimated cost of the City of San Diego San Pasqual Groundwater Project in 1996 dollars is nearly $47 million.

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WEDNESDAY, MARCH 6, 1996.

WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA RECYCLED WATER PROJECT

WITNESS

ROBERT GOLDSWORTHY, DIRECTOR, WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA

Ms. TENNIS. From the Water Replenishment District of Southern California, Robert Goldsworthy, Director.

Mr. GOLDSWORTHY. Mr. Chairman, members of the committee, I would like to introduce Jeff Halsey, our Assistant General Manager.

You heard from Congressman Horn on our behalf this morning, and you have our written materials, but I would just like to briefly emphasize why we think this project needs to proceed. This is the—I am referring to the Alamitos Barrier Reclaimed Water Project.

First of all, the supply of drinking water that we use in those wells which keeps out salt water and replenishes the basin is not an infinite resource.

Second of all, the size of the resource, we think, is massive and the constituency served is large. We think we have perhaps 10 million acre-feet of water in the ground. It currently serves a population of 3.5 million people, perhaps 30 to 40 percent of their current supply. But in the event of a sustained drought or some kind of emergency which would interrupt surface supplies the basin could be mined and provide incremental water.

Investment in this project would draw matching funds, so to speak, from the Metropolitan Water District of Southern California through the local projects program up to $250 an acre-foot. The Water Replenishment District of Southern California, we think, is eminently qualified to do this project. We are the largest users of reclaimed water for groundwater recharge.

We have a small but highly efficient staff. We recently updated our Rand Corporation study into the public health aspects of this practice and confirmed that it was totally safe.

The water that we will use is currently going into the ocean off Southern California. We will reduce that discharge.

Lastly, some of the technology we are proposing to use here, we think, when demonstrated, will lower the cost of future projects of this kind. So in closing, I would just like to thank the California Water Commission for endorsing the project, for Congressman Horn's support; and we need your support as well.

Thanks very much.

Mr. RIGGS [presiding]. Thank you.

[The statement of Mr. Goldsworthy follows:]

STATEMENT OF ROBERT GOLDSWORTHY
DIRECTOR

WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA

for the

United State Senate
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable Pete V. Domenici, Chairman

RE: ALAMITOS BARRIER RECYCLED WATER PROJECT

March 6, 1996

ALAMITOS BARRIER RECYCLED WATER PROJECT SUMMARY

My name is Robert Goldsworthy, and I am here today to represent the Water Replenishment District of Southern California. We appreciate being involved in this important process.

Concept

I wish to speak on behalf of the Alamitos Barrier Recycled Water Project, the project before you, which represents a unique opportunity to recover 3,000 acre feet (almost one billion gallons) a year, ultimately 8,000 acre feet of treated municipal wastewater from the City of Long Beach. This water, now lost to the ocean, would be purified and injected into the Alamitos barrier wells. WRD is also currently working with our Congressional Representative, the Honorable Steve Horn on HR 2738, the bill by which we are to be authorized.

Benefits

The Alamitos seawater barrier is one of three injection well systems for which the District provides water. This water is injected directly into the drinking water aquifers along the coast. We would displace the potable water now used in the Alamitos Barrier Injection Wells along the Southern California coast, used to replenish and protect the groundwater basins in both Los Angeles and Orange Counties from seawater intrusion.

The District is a regional groundwater management agency. The groundwater for which we are responsible is vital to Los Angeles County. Our basins underlie about 420 square miles, which is roughly the southern half of the county. And we serve 3.5 million people and 43 cities. About 40% of the drinking water in that area is groundwater. Even though the basins are adjudicated, natural percolation is unable to keep up with the 200,000 acre feet a year demand we have at present. And so, we currently purchase about 75,000 acre feet a year of water from the Colorado River and Northern California to make that balance work.

During the last drought in California, our Board of Directors became very concerned that the reliability of the imported supply was not assured. Thus, we embarked upon a program to substantially reduce our dependence upon those sources and even, eliminate them if possible. This project would insure continued availability of groundwater during periods of drought and following natural disasters that could interrupt surface water deliveries.

Our District is currently underway with final designs. The costs, amortized over the life of the project, are about $600 an acre foot. This is more than we are paying for imported water today; but when compared with the cost of almost any other new supply of water in the West, is very reasonable to increase the reliability of the drinking water supply to 3.5 million people.

Why This Project and Not Others?

- Project enhances the reliability of a mammoth groundwater basin with reserves estimated at over 10 million acre feet.
- Project benefits a wide area: 420 square miles, 3.5 million people, 43 cities.
- Water Replenishment District is the largest regulated user of reclaimed water for groundwater recharge. Recently completed Rand Corporation study confirms public safety of this practice.
- Federal funds would be "multiplied" by the Metropolitan Water District of Southern California's $250 per acre foot Local Projects Program rebate.
- Efficient execution would be made by the small, motivated, highly qualified staff of Water Replenishment District.
- Project would verify the benefits assumed for the microfiltration process, which will reduce the cost of future water reclamation.

In closing, we wish to express our gratitude to the California Water Commission for their support in this effort. And certainly, our District and the 3.5 million constituents we serve would appreciate Appropriation Committee approval as well! Thank you.

United States Senate
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable Pete V. Domenici, Chairman

RE: Federal Financial Assistance Request

Introduction

Mr. Chairman and Members of the Subcommittee. Thank you for the opportunity to testify today on the U.S. Bureau of Reclamation Appropriations for fiscal year 1997. I am Robert Goldsworthy, Board Member for the Water Replenishment District of Southern California (WRD). Accompanying me is Jeffrey Helsley, Assistant General Manager. I wish to briefly tell you about the District and its mission, elaborate somewhat about the project scope and indicate how your support for funding will help ensure a reliable supply of drinking water at reasonable cost for the people in the southeast area of Los Angeles County.

District Background

The Water Replenishment District of Southern California (WRD), located in southern Los Angeles County, is governed by an elected five member Board of Directors. It was formed in 1959 to manage the Central and West Coast Groundwater Basins and serve 420 square miles of 3.5 million people in 43 cities. WRD's primary objectives are to replenish the groundwater basins, halt seawater intrusion, and provide high quality groundwater for area residents.

Groundwater is an important source of water in southern Los Angeles County, supplying approximately 40% of the total water needs in our District and, in some of our cities, 100%. Groundwater reserves also provide an emergency source of water if imported supplies are interrupted or lost during earthquakes, or if drought or other natural disasters reduce the availability of imported water. It is essential that this valuable resource be protected.

Replenishing Groundwater Basins with Recycled Water

The Water Replacement District now purchases 75,000 acre feet per year of expensive imported water from the Colorado River and Northern California to artificially replenish the groundwater basins. Natural replenishment from percolation of storm water simply isn't enough. Moreover, years of overpumping before the District was formed, emptied the basins and that lost inventory must be replaced.

Low water levels allow seawater to enter the edges of the basins, contaminating and forcing the shutdown of numerous wells. Thus, about 35,000 acre feet per year of the

District's expensive imported water purchases are used for injection into wells drilled along the coast. This water serves two purposes: it halts further intrusion of seawater and also replenishes the basins.

Today, Southern California's gradual loss of entitlements to both Colorado River and Northern California water and recent droughts have convinced us that a more reliable supply of water for these seawater barrier wells must be developed to protect our critical groundwater resource.

As a result, the District has an aggressive program to increase the use of recycled water. WRD's goal for the Alamitos Barrier is to totally eliminate our dependence upon imported water for injection and replace it completely with recycled water and local stormwater runoff.

Alamitos Barrier Recycled Water Project

Working together with the Orange County Water District and the City of Long Beach, the District is proceeding with plans to build a 3,000 acre foot per year reclamation plant. With the barrier system extending into Orange County, Orange County sees the benefits of their participation, while the City of Long Beach holds title to the recycled water which will feed the new plant.

Initially, the plant replaces 50% of the imported water now being injected into the Alamitos Seawater Barrier, one of three widespread barrier systems for which the District provides water. The second stage expands the treatment plant to (8,000 acre feet and provides) 100% substitution of imported water. The proposed plant is consistent with Metropolitan Water District's new Integrated Resources Plan, which anticipates 700,000 acre feet per year of additional water reclamation by the year, 2010.

Design work for the project is underway. A bid package will be issued in August for final designs and construction, which is targeted to start late 1996. We anticipate plant startup in early 1998.

Feedwater for the project will be recycled water that would otherwise be discharged into the San Gabriel River. Advanced treatment equipment, including microfiltration and reverse osmosis, will be put in place to purify the water and meet the stringent requirements of the State Department of Health Services and the Regional Water Quality Control Board.

The capital cost is currently fixed at $15 million. Even though one-half of this will be paid by the Orange County Water District, this project is an ambitious undertaking and the first major construction project for our District..

By amortizing the construction cost, adding operation and maintenance costs and backing out anticipated reimbursements from the Metropolitan Water District's Local Projects Program, the cost of water produced from the plant will be around $600 per acre foot. Although this is more than the current cost of imported water, it is well within the range of costs for new water supplies throughout the West.

In order to ease the additional burden on our local ratepayers, we need federal fund assistance. We sincerely thank the California Water Commission for recommending this project for your consideration. Consistent with HR 2738, we request a total of $3,275,000 through fiscal year 1998; $2,625,000 of that in fiscal year 1997 will cover 25% of the project's construction cost. Federal support will enhance the project's economics and ensure the viability of our precious groundwater basins into the next century.

We are available to answer any questions.

WEDNESDAY, MARCH 6, 1996.

BRACKISH WATER RECLAMATION DEMONSTRATION FACILITY

WITNESS

FRANK CHIELLA, PRESIDENT, PORT HUENEME WATER AGENCY

Ms. TENNIS. Just a few more.

Port Hueneme Water Agency, Frank Chiella, President.

Mr. CHIELLA. Mr. Chairman, members of the committee, I thank you for the opportunity to be here today. I thank you for your past support for our agency.

We are relatively new. We were formed to work together with several agencies already existing in Ventura County, and the main focus is trying to work with the two Navy bases, a city and a special district, to treat brackish water and turn it into high-quality drinking water for everyone that is in that area. And that is really the special focus of where we are of trying to bring the Federal Government, the Navy bases, into the local governments and to best supply water to that area.

We are asking for an additional $2.5 million this year for our project. We are looking to begin the construction phase this year and the next calendar year, hopefully to provide that drinking water.

So we thank you for your support, and we look for your continued support and appreciate being here today. Thank you.

Ms. TENNIS. Thank you.

[The statement of Mr. Chiella follows:]

TESTIMONY TO THE SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT COMMITTEE ON APPROPRIATIONS HOUSE OF REPRESENATIVES THE HONORABLE JOHN MYERS, CHAIRMAN

March 6, 1996

By

FRANK J. CHIELLA, President of the Board of Directors, Port Hueneme Water Agency, and Member of the Board of Directors, Channel Islands Beach Community Services District

ORVENE CARPENTER, Past President and Member of the Board of Directors, Port Hueneme Water Agency and Councilmember, City of Port Hueneme

Port Hueneme Water Agency
J. R. Velthoen, Executive Director
250 North Ventura Road
Port Hueneme, CA. 93041
(805) 986-6506
(805) 986-6511 FAX

In support of $2,500,000 for the Port Hueneme Water Agency for a Brackish Water Reclamation Demonstration Facility under Section 1605, of Public Law 102-575

UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
THE HONORABLE JOHN MYERS, CHAIRMAN

Chairman Myers and members of the Subcommittee, my name is Frank J. Chiella, President of the Board of Directors the Port Hueneme Water Agency. The Port Hueneme Water Agency ("Agency") was formed by the City of Port Hueneme and the Channel Islands Beach Community Services District in July of 1994 as a Joint Powers Agency, governed under the laws of the State of California. I am here today, together with Port Hueneme City Councilmember, Orvene Carpenter, Past President of the Board of Directors of the Port Hueneme Water Agency, to seek the Subcommittee's support for our request to receive $2.5 Million in cooperative funding from the United States Bureau of Reclamation for a Brackish Water Reclamation Demonstration Facility ("Facility") during Federal Fiscal Year 1996-97.

PROJECT SUMMARY

The Port Hueneme Water Agency was formed to deliver high quality water to an area in southwest Ventura County which includes the City of Port Hueneme, Channel Islands Beach Community Services District, Naval Construction Battalion Center - Port Hueneme, and Naval Air Weapons Station - Point Mugu. To provide high quality water, the Agency is implementing a Water Quality Improvement Program which involves discontinuation of groundwater extractions from wells along the coast threatened by seawater intrusion; demineralization of local groundwater supplies and the importation of State water through the Calleguas Municipal Water District, a member agency of the Metropolitan Water District of Southern California.

The cornerstone of the Agency's Program is a Brackish Water Reclamation Demonstration Research Facility, ("Facility") which will serve as a state-of-the art sub-regional water treatment plant. The Facility will provide 3.0 million gallons per day (mgd) of water treated to the quality of imported State water. The three desalination technologies considered most applicable to reclaim local sources of brackish groundwater which are scheduled for installation at the Facility include: *reverse osmosis*, *nanofiltration*, and *electrodialysis reversal*. Each would treat approximately 1.0 mgd of brackish groundwater in a side by side, full-scale, operational demonstration of each technology. By applying these different technologies to the same water source, long-term operating and economic data will be collected and compared, and made available for use nationwide.

The estimated capital cost of the construction elements of the Program is approximately $11 million (in 1996 dollars). The Agency is requesting $2.5 Million in cooperative funding from the Bureau of Reclamation for Federal Fiscal Year 1996-97, pursuant to the authorization found in Section 1605 of the Reclamation Wastewater and Groundwater Study and Facilities Act (Title XVI) of Public Law 102.575. This section authorizes the Bureau to provide cooperative funding to local water agencies up to 50 percent of the total cost of the Facility.

The Facility will assist other communities throughout the nation to understand and then select the most appropriate brackish groundwater desalination technology for their specific application. The facility could become a location to provide research opportunities and water treatment operator training. Accordingly, the availability of this demonstration research facility in California should make it easier for other communities to successfully implement brackish water desalination and groundwater reclamation, as a major element in the strategy of local compliance with the increasingly stringent regulatory standards found in the Safe Drinking Water Act Amendments. Also, in resolving problems with the contamination of local groundwater supplies, and increasing water supplies to drought sensitive areas.

PROJECT BACKGROUND

Currently, the four agencies listed above utilize brackish groundwater from the Oxnard Plain Groundwater Basin, which is listed in California Department of Water Resources Bulletin 118 as a critically overdrafted basin and is under active basin management by the Fox Canyon Groundwater Management Agency. The groundwater used by these agencies is extracted locally from deep aquifer wells increasingly subject to seawater intrusion along the coast, or delivered from upper aquifer wells located inland by the United Water Conservation District. Both groundwater sources are deemed brackish, in that they have a a total dissolved solids (TDS) content of greater than 1000 mg/l and a hardness in excess of 500 mg/l. *By comparison, water quality in the Washington, D.C. urban area averages 217 mg/l, TDS and 126 mg/l in Hardness.*

The Agency was formed to secure a safe, reliable, high quality, environmentally sound and economical water supply for the City of Port Port Hueneme, the Channel Islands Beach Community Services District, Naval Construction Battalion Center - Port Hueneme, and the Naval Air Weapons Station - Pt. Mugu. Prior to the formation of the Agency, increasing overdraft of the local groundwater basin, seawater intrusion, poor water quality and aging infrastructure had prompted each of the aforementioned participants to independently pursue water supply and quality improvement projects.

PROJECT DESCRIPTION

The Agency's project involves the construction of a 3.0 mgd sub-regional water treatment plant, the Facility, and various transmission pipelines to deliver a blend of desalinated local brackish groundwater and imported State Project Water. The primary source of local brackish groundwater for the Facility will be the United Water Conservation District. This local groundwater is highly mineralized and contains trihalomethane precursors. To treat this water, a combination of three desalination technologies will be used. State Water Project water will be blended with desalinated local groundwater through existing and proposed transmission pipelines. To optimize the utilization of the water treatment facilities, the proposed plant's capacity is based on current minimum diurnal water demands of the project participants. Peak day and fire flow demands will be met by State Water Project water deliveries.

The construction and operation of the Facility will provide a unique opportunity for the Federal government to enter into an innovative Federal-State-Local partnership with California water agencies in order to obtain hard research data from the operation of a full-scale, groundwater desalination treatment facility in Ventura County, California. *To the best of our knowledge, there are no such full-scale Brackish Water Reclamation Demonstration Research Facilities operating in the United States using the aforementioned three desalination technologies simultaneously.*

PROJECT BENEFITS

Over 50,000 customers of the Agency, including the Naval Construction Battalion Center - Port Hueneme, and the Naval Air Weapons Station - Point Mugu, are expected to derive significant benefits from the project including improved water quality, an increase in economic development and job creation resulting from the construction of the Facility, and obtaining a long-term, safe, reliable and environmentally sustainable high quality water supply which meets current and proposed water quality drinking standards under the Safe Drinking Water Act Amendments. Water quality to the Agency's customers will be greatly improved through the construction of the Brackish Water Reclamation Demonstration Research Facility to treat brackish local groundwater supplies supplemented by imported State water from the Calleguas Municipal Water District and the Metropolitan Water District of Southern California.

Long-term water supply reliability for the Agency's customers and the Port Hueneme Subregion will be improved by access to both demineralized groundwater from local sources and imported State water. The delivery of imported State Water Project Water will also allow the Agency's members to reduce groundwater extractions from coastal wells threatened by seawater intrusion. Seawater intrusion will be minimized by relocating groundwater extractions from the coastal area to inland recharge areas.

Benefits accruing to the Agency's customers which result from the implementation of the Port Hueneme Water Quality Improvement Program, including the Facility, include the following:

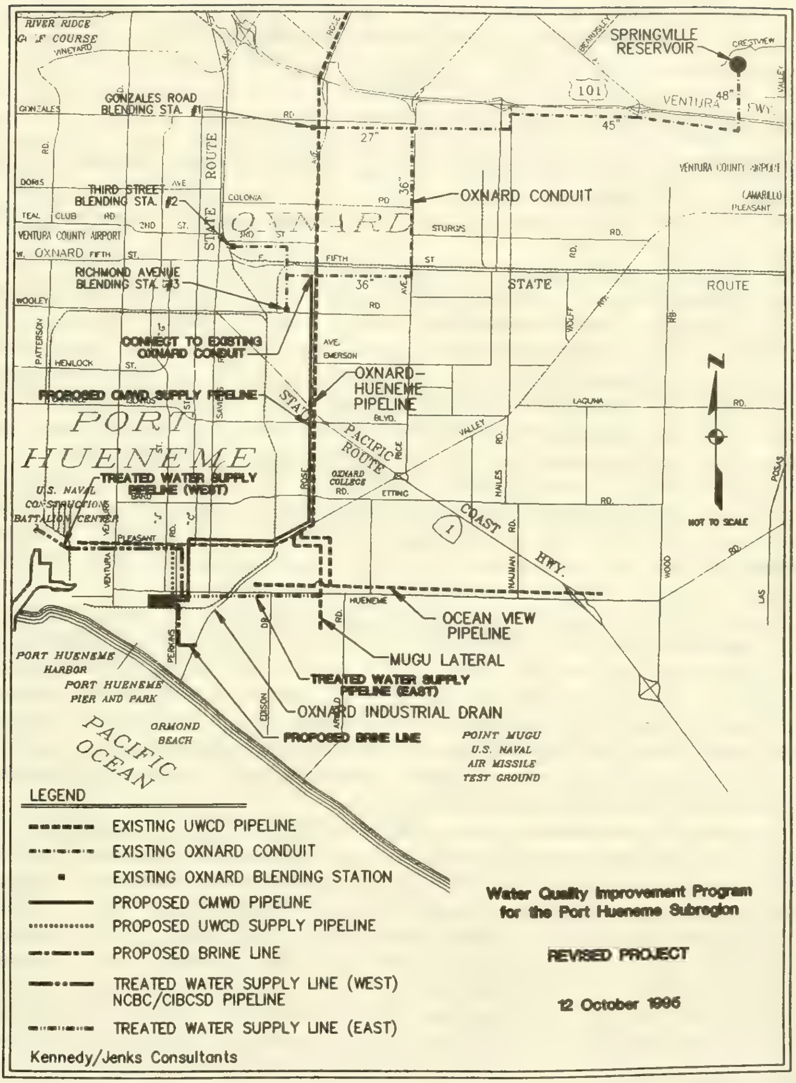
1. elimination or reduction in the need for expensive and highly inefficient home water softening units, thereby reducing the need to desalinate wastewater effluent proposed for reclamation in the future.
2. reduction in the cost of soap and cleaning products for those water customers who do not provide home water softening.
3. reduction in the costs of repairs and replacement of plumbing, plumbing fixtures and water using appliances.
4. reduction in the cost of purchasing bottled water and/or household reverse osmosis units.
5. avoidance of potential penalties associated with the staged reductions in groundwater pumping allocations imposed by the Fox Canyon Groundwater Management Agency.
6. avoidance of additional Water Treatment Costs imposed by Federal and State Regulatory Agencies.

The construction and operation of the Facility will provide a *unique opportunity* for the Federal government to enter into a Federal-State-Local partnership with local water agencies to obtain hard research data from the operation of a full-scale, groundwater desalination treatment facility in Ventura County, California. To the best of our knowledge, there are no such full-scale Brackish Water Reclamation Demonstration Research Facilities operating in the United States using the aforementioned three desalination technologies simultaneously.

PROJECT PROGRESS

The Agency has made significant progress with the Water Quality Improvement Program. Annexation of the Port Hueneme Subregion to the Calleguas Municipal Water District and Metropolitan Water District has been completed; a joint NEPA/CEQA Program Environmental Impact Report is being circulated for public review and comment; preliminary design work is underway; and bids for the construction of the project will be solicited by the Agency in early summer. Construction of the pipeline network is expected to begin by mid-1996, and State Water is anticipated to be received by the end of 1996. Demineralized groundwater from the new water treatment plant is anticipated to be delivered to the Agency's customers by mid-1997.

We believe that this facility will provide a unique opportunity to study Brackish Water Desalination in California and solicit the Subcommittee's continued support for the Agency's Program. Thank you very much for the opportunity to address the Subcommittee.


RIVER RIDGE
GOLF COURSE
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PIPELINE
MUGU LATERAL
TREATED WATER SUPPLY
PIPELINE (EAST)
OXNARD INDUSTRIAL DRAIN
PROPOSED BRINE LINE
PERKINS
EDISON
ARNOLD
PORT HUENEME
HARBOR
PORT HUENEME
PIER AND PARK
ORMOND
BEACH
PACIFIC
OCEAN
POINT MUGU
U.S. NAVAL
AIR MISSILE
TEST GROUND
LEGEND
EXISTING UWCD PIPELINE
EXISTING OXNARD CONDUIT
EXISTING OXNARD BLENDING STATION
PROPOSED CMWD PIPELINE
PROPOSED UWCD SUPPLY PIPELINE
PROPOSED BRINE LINE
TREATED WATER SUPPLY LINE (WEST)
NCBC/CIBCSD PIPELINE
TREATED WATER SUPPLY LINE (EAST)
Kennedy/Jenks Consultants
Water Quality Improvement Program
for the Port Hueneme Subregion
REVISED PROJECT
12 October 1995

WEDNESDAY, MARCH 6, 1996.

CITY OF SANTA MONICA PROJECTS

WITNESS

PAUL ROSENSTEIN, MAYOR, CITY OF SANTA MONICA

Ms. TENNIS. We have an add-on, City of Santa Monica, Paul Rosenstein, Mayor.

Mr. ROSENSTEIN. Thank you. It is a pleasure to be here. We saved the best for last.

Ms. TENNIS. Not quite.

Mr. ROSENSTEIN. I am Paul Rosenstein, the Mayor of the City of Santa Monica. I have come here today just to spend this one day on Capitol Hill talking to the Committee, members of your staff and our representatives about this project. I am not here on vacation; I am not coming to a conference; I am not passing through town. But our community feels that these two projects are very important, and we wanted to emphasize our concern here today.

So, first, we are asking the Committee to support the $600,000 appropriation that has been recommended by the Corps of Engineers and the General Investigations Division to initiate a water infrastructure and reliability study in fiscal year 1997 for the Energy and Water Development Appropriations bill.

Our city, as you may know, is highly vulnerable to major damage from earthquakes. The disruption of water services, fire protection, domestic and industrial uses could result in catastrophic public safety and health problems, as well as causing serious and major economic losses. This special study would assist the City of Santa Monica in its effort to develop a more dependable water supply for the city, particularly with respect to minimizing interruptions that might result from future earthquakes.

We are also requesting committee support for an appropriation of $3.2 million as recommended by the Corps of Engineers and the Construction Division for the Santa Monica Breakwater Project. This represents the Corps' capability on this project. This project is critical to the City of Santa Monica's efforts to restore adequate protection to the Santa Monica pier and the shoreline and to reestablish commercial and recreational boating opportunities for the Santa Monica area. This project will protect the pier and its facilities from damages that are now estimated in excess of $20 million that would result from a single 100-year storm.

The city is willing to invest over $1 million of its own resources in the construction of 12 moorings and a boat dock. This investment is in addition to the required $1.5 million local match for the rest of the project.

Given the urgent need for this project, I urge you to take whatever actions are necessary to ensure that the funding for this project remains on track. And I can tell you that we have invested over $18 million in rebuilding our pier from the days of 1982 and 1983 winter storms when it was wrecked. We have come a long way on our own, but we could really use the help of Congress to make the final portion of the redevelopment of our pier possible, and that is the rebuilding of our breakwater.

So we thank you very much for this opportunity to appear, and we urge your serious consideration to meet our needs. Thank you.

Mr. RIGGS. That was back in 1982 and 1983?

Mr. ROSENSTEIN. 1982 and 1983, the pier was wrecked; and we are giving some photos to your staff, before and after, to see where we were and where we have come since then. With your help, we can really provide a truly important regional resource. Even though a lot of it is out of our own money, we are providing a regional resource for the whole Southern California community.

Mr. RIGGS. Thank you.

Mr. ROSENSTEIN. We thank you.

Mr. RIGGS. Appreciate your testimony.

WEDNESDAY, MARCH 6, 1996.

WINTER-RUN CHINOOK SALMON CAPTIVE BROODSTOCK PROGRAM

COHO SALMON RESTORATION PROJECT

SPRING-RUN CHINOOK SALMON RESTORATION PROJECT

WITNESS

NATHANIEL BINGHAM, HABITAT DIRECTOR, PACIFIC COAST FISHERMEN'S ASSOCIATION

Ms. TENNIS. Thank you, Mr. Chairman.

Last but not least we will direct you back to No. 25 on our witness list, Nat Bingham, who is the Habitat Director of the Pacific Coast Fishermen's Association.

Mr. RIGGS. The Mayor said we saved the best for the last. He just didn't know he was referring to you.

Ms. TENNIS. That is right.

Mr. BINGHAM. In the beginning, I would like to convey the sincere thanks and appreciation of the commercial and recreational salmon fishing industries for the support of this subcommittee. Mr. Myers, Mr. Fazio, Mr. Riggs, we really appreciate your support of the Winter-run Chinook Salmon Captive Broodstock Program; and we are back requesting continued funding of $500,000 with another program relating to Coho and Spring-run Chinook Salmon for community-based restoration projects.

I would also like to convey the sincere thanks and appreciation for the support that we have received from the California Water Commission. I believe that represents a real working coalition between the fishing industry located on the coast and the various water user communities inland for a coalition collaborative effort to rebuild these salmon stocks that we are all so interested in achieving, so we can go on doing our daily business. And the program has now finally gotten into a productive phase.

We are releasing juvenile fish, which are being released into the wild this year. And also we have achieved the implementation of an important genetic stock, an identification tool which enables us to identify Winter-run Chinook that have not been tagged so that people that are working with various impacts can really find out whether they are dealing with Winter-run or not.

The community-based projects are very important because these are programs that come out of various communities in the watershed such as Mill Creek, Deer Creek and programs over on the coast. We are working in cooperation with the timber industry. We are beginning to get community-based programs off the ground, and that is what this funding is intended to support.

Thank you very much.

Mr. MYERS. Thank you.

Mr. RIGGS. Thank you very much, Nat. And I think you heard, by the testimony of Members from the California delegation earlier, the bipartisan support that these broodstock and restoration programs have.

Mr. BINGHAM. I think that is the only way we can move forward, and I certainly support the spirit of bipartisanship that is on this committee. Thank you.

Mr. FAZIO. Mr. Chairman, I just want to thank Nat for all the good work he does with my farmers and other landowners in the valley. Deer Creek and Mill Creek are in my district.

We are working from the ground up to try to make everybody understand the importance of restoration, not only to your industry, but so that agriculture can continue to flourish in the Central Valley.

Mr. BINGHAM. I believe what the folks on Mill and Deer Creeks have achieved is going to be a model that can be looked at from all over the Nation.

Mr. FAZIO. I appreciate that. You know, we were about to jump into wild and scenic status without even knowing what it meant. I think a much better approach is to get folks together and figure out what is needed, and then we will worry about top-down legislative approaches.

Ms. TENNIS. Exactly.

Mr. RIGGS. Mr. Chairman, I know you have to leave. I just want to say one other thing to add to Nat's testimony, and that is, the money that we included in last year's bill, the 1996 Energy and Water Development Appropriations Act for the Spring-run Chinook and Coho projects has not been allocated yet, as Nat, you well know, because of a dispute between the Bureau of Reclamation and the National Fish and Wildlife Foundation. The Foundation is requiring a match, but the Bureau says no.

I can tell you, having worked very closely with Mr. Bingham, that we clearly intended no match; that is to say, we support the Bureau's position. And next year, the bill that we are deliberating today, we may have to bypass the Foundation if this is not yet resolved.

Mr. BINGHAM. Some form of signal, a letter or something like that, would be very helpful for us to give them that message.

Mr. RIGGS. Thank you.

[The statement of Mr. Bingham follows:]

Testimony before the
United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable John Myers, Chairman

Submitted by Nat Bingham, Habitat Director,
Pacific Coast Federation of Fishermen's Associations.

Mr. Chairman and honorable members of the subcommittee, I am pleased to present two requests for funding important salmon restoration programs in California.

Winter-run Chinook Salmon Captive Broodstock Program $500,000
The Subcommittee has been supporting this key program which is now in its fifth year. The captive broodstock program provides an essential biological insurance policy for winter-run chinook salmon. This unique stock of salmon is listed as endangered under the Federal Endangered Species Act. This year the program has begun to supplement the natural production of winter-run n the Upper Sacramento River. In addition, a genetic stock identification methodology has been developed as a spin-off from the program which is helping to identify the presence or absence of winter-run juvenile salmon at the Delta pumping plants. A progress report on the program is attached.

Community Coho and Spring-run Chinook Salmon Restoration Projects $500,000
The Subcommittee supported this program of grants for community based salmon restoration projects by the National Fish and Wildlife Foundation in FY1996.
Were it not for the efforts of landowners in The Mill, Deer, and Butte Creek watersheds to organize conservancies and tale the lead in planning and implementing, salmon habitat restoration, Spring-run chinook salmon would probably now be a listed species. A wide range of projects have been undertaken to restore the spring run. A report on the activities of the Spring Run Chinook Salmon Work Group is attached Coho Salmon have been formally proposed as a candidate species for ESA listing by the National Marine Fisheries Service. The Fish, Farm, and Forest Communities Forum has been incorporated as a non-profit entity by the timber, farm and fishing industries to address the issues relative to Coho Salmon restoration. The task of restoring coho salmon habitat in coastal watersheds is of great magnitude, which goes far beyond the modest level in this proposal. A wide variety of sources of both government and non government funding will be required. This proposal continues the process of getting this vital program on the ground.

March 1996

WINTER-RUN CHINOOK SALMON CAPTIVE BROODSTOCK PROGRAM
1995 Progress Report[1]

EXECUTIVE SUMMARY

BACKGROUND

In response to critically low levels of Winter-Run Chinook Salmon in the Sacramento River during 1991, the Winter-Run Chinook Salmon Captive Broodstock Committee was initiated. Once numbering in the hundred of thousands each year, returns had plummeted to 191 fish. In order to save this unique and important salmon stock from extinction, a wide range of State and Federal fishery agencies joined with nongovernmental commercial and recreational fishing interests, as well as interested water users and the academic research community. This unprecedented coalition worked, by consensus, to develop the following goal:

PROGRAM GOAL

The goal of the captive broodstock program is to rear winter-run chinook salmon under controlled conditions until they become reproductively mature adults. Mature salmon would then be used as hatchery broodstock for continued propagation of the race. The captive breeding program provides:

- An insurance policy against extinction and loss of genetic material;
- A source of eggs and sperm for the Coleman National Fish Hatchery winter-run propagation program;
- A source to supplement naturally the few remaining spawning salmon;
- A means to "buy time" until habitat conditions in the Sacramento River improve;
- An egg and fry source for experimental studies; and
- The maximization of future options for the recovery of the species.

10-YEAR PROGRAM PLAN

The captive broodstock program plans to recover winter-run salmon by:

- Holding 1,000 juvenile winter-run salmon propagated at Coleman National Fish Hatchery in captivity each year;
- Transferring those juvenile salmon to fresh and salt water rearing facilities at Bodega Marine Laboratory and the Steinhart Aquarium at The California Academy of Sciences, San Francisco;
- Raising the fish for 2-5 years until maturity;
- Returning the adult salmon to Coleman NFH to be spawned; and
- Using the resulting gametes to increase the winter-run population.

A genetic research and management plan was developed to:

- Insure that the effective population size of the winter-run was not reduced by artificial propagation, and
- Manage the Captive Broodstock Program to conserve genetic resources.

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[1] Authored by Nat Bingham, Pacific Coast Federation of Fishermen's Associations; Kristen Arkush and Paul Siri, U.C. Davis Bodega Marine Laboratory; and Randy Brown, Department of Water Resources.

PROGRAM IMPLEMENTATION

Funding for the broodstock program has been provided by:

- U.S. Congressional Appropriations
  - **Department of Interior**
    - U.S. Fish and Wildlife Service
    - U.S. Bureau of Reclamation
  - **Department of Commerce**
    - National Marine Fisheries Service
- State of California
  - **Department of Water Resources**
  - **Department of Fish and Game**
  - Drought relief funds
  - Salmon Stamp program (fishing industry self tax)
- Nongovernmental Funds
  - **National Fish and Wildlife Foundation**
  - **Bay-Delta Agreement Category III program**

Implementing Agencies:

U.S. Fish and Wildlife Service, Coleman National Fish Hatchery
California Academy of Sciences, Steinhart Aquarium
University of California, Davis, Bodega Marine Laboratory

In 1993 Congress passed HR 2457, authorizing the winter-run captive broodstock program at a level of $1 million annually.

PROGRAM ACHIEVEMENTS

After four years, the broodstock program has:

1. Rapidly established interagency/project coordination;
2. Literally built rearing facilities at Bodega Marine Laboratory and the Steinhart Aquarium around the juvenile salmon as they were being raised;
3. Developed long-term feeding and rearing strategies;
4. Developed pathogen detection methods and fish health management protocols to improve survivorship;
5. Provided original genetic research resulting in:
   - A method using existing technology to identify the gender of a juvenile salmon;
   - Provision of genetic management direction to the broodstock
6. Provided 30,000 salmon eggs to Coleman NFH;
7. The broodstock program is holding in captivity:

At Bodega Marine Laboratory:		
Brood year 1991	52	adult salmon
Brood year 1992	25	maturing salmon
Brood year 1993	249	year 2 salmon
At Steinhart Aquarium:		
Brood year 1993	256	year 2 salmon
Brood year 1994	619	yearling salmon

CONCLUSION

As it approaches completion of the first half of its 10-year duration, the Winter-Run Chinook Salmon Captive Broodstock Program has overcome many developmental problems, has efficiently established the infrastructure necessary to continue the program at full production status, and can do so until such time as the necessity for the program no longer exists. Most importantly, this program has helped begin the recovery of this unique stock of salmon.

WINTER-RUN CHINOOK SALMON CAPTIVE BROODSTOCK PROGRAM

SUMMARY OF PROPOSED 10 YEAR BUDGET

State Fiscal Year Federal Fiscal Year	1992-93 1993	1993-94 1994	1994-95 1995	1995-96 1996	1996-97 1997	1997-98 1998	1998-99 1999	1999-2000 2000	2000-2001 2001	2001-2002 2002	TOTAL
Steinhart Aquarium	222,592	89,448	173,004	113,985	88,437	107,648	85,427	88,648	93,031	96,583	1,158,803
Bodega Bay Marine Lab	489,702	607,213	565,059	513,401	547,589	646,727	655,367	700,616	712,010	749,968	6,187,652
Genetic Management/ Molecular Genetic Analysis	225,000	219,597	230,503	244,925	235,131	236,331	247,953	260,372	273,740	287,581	2,461,133
Genetic Management Subcommittee	41,000	42,000	43,000	24,000	25,000	26,000	26,000	27,000	28,000	29,000	311,000
Coleman National Fish Hatchery Operations & Maintenance	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	2,500,000
TOTAL BUDGET	1,228,294	1,208,258	1,261,566	1,146,311	1,146,157	1,266,706	1,264,747	1,326,636	1,356,781	1,413,132	12,618,588
Funds Acquired											
U.S. Dept. of Interior											
Fish and Wildlife Service	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	2,500,000
Bureau of Reclamation	100,000 200,000	300,000	125,000	300,000	500,000[2]						1,025,000
U.S. Dept. of Commerce											
NOAA	500,000	237,500	237,500	0	?						975,000
State of California											
Department of Fish and Game	241,291	200,000									441,291
Salmon Stamp	25,000	10,000	9,999	15,000	15,000[2]						69,999
Department of Water Resources DWR via NFWF	75,500	176,335 14,300	34,165 200,000	125,000	100,000[2]						411,000 214,300
Nongovernmental Funds											
National Fish and Wildlife Fdn		7,150	121,200								128,350
Category III				300,000	300,000[2]						
Subtotal - Funds Acquired	1,391,791[1]	1,195,285[1]	977,864[1]	990,000[1]	250,000	250,000	250,000	250,000	250,000	250,000	6,064,940
ADDITIONAL FUNDS NEEDED	+163,497[1]	12,973	283,702	156,311	896,157	1,016,706	1,014,747	1,076,636	1,106,781	1,163,132	6,553,648

[1] Funds acquired are allocated to multi-year contracts and are not spent in one fiscal year.

[2] Preliminary : [illegible], not yet approved.

Revised: February, 1996

Winter-Run Chinook Salmon Captive Broodstock Program 1995 Progress Report

Nat Bingham, Pacific Coast Federation of Fishermen's Associations; Kristen Arkush and Paul Siri, U.C. Davis Bodega Marine Laboratory; and Randy Brown, Department of Water Resources

In response to critically low levels of winter-run chinook salmon in the Sacramento River during 1991, the Winter-Run Chinook Salmon Captive Broodstock Committee was initiated. Once numbering more than a hundred thousand spawning adults, returns had plummeted to 191 fish. To help save this unique and important salmon stock from possible extinction, several state and federal fishery agencies joined with commercial and recreational fishing interests, water users, and the academic research community to develop and implement a captive broodstock program. This coalition worked, by consensus, to develop its goals.

The primary goal of the captive broodstock program is to prevent the loss of the genetic resource contained in the winter run genome should the wild run become extinct. A secondary goal is to help prevent extinction by producing gametes that can be fertilized by wild fish gametes collected as part of the Coleman National Fish Hatchery winter run propagation program. The goals are to be met by rearing winter-run chinook salmon under controlled conditions until they become mature adults. Mature salmon would then be used as hatchery broodstock for continued propagation of the race.

The captive breeding program provides insurance against extinction and loss of genetic material, a source of eggs and sperm for the Coleman winter-run propagation program, a source to supplement naturally the remaining spawning salmon, a means to "buy time" until habitat conditions improve in the Sacramento River, an egg and fry source for experimental studies, and a way to maximize options for the recovery of the species.

The captive broodstock program plans to assist in winter-run salmon recovery by:

- Holding up to 1,000 juvenile winter-run salmon propagated at Coleman Hatchery in captivity each year;
- Transferring those juvenile salmon to fresh and salt water rearing facilities at Bodega Marine Laboratory and Steinhart Aquarium at the California Academy of Sciences, San Francisco;
- Raising the fish for 2-5 years (until maturity);
- Returning the adult salmon to Coleman Hatchery to be spawned;
- Using the resulting gametes to increase the winter-run population.

A genetic research and management plan was developed to:

- Ensure that the effective population size of the winter-run was not reduced by artificial propagation, and
- Manage the Captive Broodstock Program to conserve genetic resources.

To achieve these goals, the committee had to respond to several challenges. One of the most difficult was disease control. In addition to expected problems such as bacterial kidney disease, a previously undescribed pathogen in the winter run termed rosette agent — a systemic protist — appeared in the 1991 broodyear. Infection with this parasite resulted in substantial mortality in the 1991 cohort. Long-term treatment methods for these pathogens required development of new care and feeding strategies in addition to new disease detection methods.

The program was put under a year-long quarantine while field investigations in the Sacramento River were initiated. In 1994, the rosette agent was found in wild fall-run chinook. This discovery lifted the quarantine on the captive broodstock gametes, and about 30,000 eggs were delivered to Coleman Hatchery in 1995. Current research focuses on nutrition and maturation to increase fertilization rates.

Funding for the broodstock program has been provided by: U.S. Fish and Wildlife Service, U.S. Bureau of Reclamation, National Marine Fisheries Service, Department of Water Resources, Department of Fish and Game salmon stamp program, and the National Fish and Wildlife Foundation. Category III, resulting from the 1994 Bay/Delta Agreement, will provide funding in 1996. Implementing agencies are: U.S. Fish and Wildlife Service, Coleman National Fish Hatchery, California Academy of Sciences, Steinhart Aquarium, University of California-Davis, Bodega Marine Laboratory. In 1993, Congress authorized the winter-run captive broodstock program at a level of $1 million annually.

After 4 years, the broodstock program has:

- Rapidly established interagency/project coordination;
- Built rearing facilities at Bodega Marine Laboratory and Steinhart Aquarium literally around the juvenile salmon as they were being raised;
- Developed long-term feeding and rearing strategies;
- Developed pathogen detection methods and fish health management protocols to improve survivorship;
- Provided original genetic research resulting in a method using existing technology to identify the gender of a juvenile salmon and provision of genetic management direction to the broodstock;
- Provided about 30,000 salmon eggs to Coleman National Fish Hatchery.

The broodstock program is holding in captivity:

Bodega Marine Laboratory

Brood year 1991	52 adult salmon
Brood year 1992	25 maturing salmon
Brood year 1993	249 year-2 salmon

Steinhart Aquarium:

Brood year 1993	256 year-2 salmon
Brood year 1994	619 yearling salmon

As it approaches the half-way mark, the 10-year Winter-Run Chinook Salmon Captive Broodstock Program has overcome many developmental problems, has established the infrastructure necessary to continue at full production status, and can do so until the program is no longer necessary. Most importantly, this program will contribute to the recovery of this unique salmon stock.

RESEARCH ACTIVITIES OF THE SACRAMENTO RIVER WINTER RUN CHINOOK CAPTIVE BROODSTOCK PROGRAM BODEGA MARINE LABORATORY AND STEINHART AQUARIUM

Principal Investigators:	Dennis Hedgecock , Paul Siri and Kristen Arkush, BML; Ron Hedrick BML and Veterinary Medicine and Epidemiology, UCD; Loo Botsford, Wildlife & Fisheries Conservation Biology, UCD; Phillip Hedrick, Zoology, Arizona State University; John McCosker, Steinhart Aquarium, California Academy of Sciences
Postdoctoral Researchers:	Michael Banks
Associated Staff:	Barbara Baldwin, Scott Blankenship, Claus Brigmann, Kitty Brown, Kate Bucklin, Zack Burt, Leslie Hain, Zac Kain, Melissa Lerch, Karl Menard, Will Newman, Sheila Ryan, Bridget Wessa and David White

This is the fifth year of a large inter-institutional, inter-agency project. The primary goal is to rear progeny from crosses of wild winter run chinook salmon, California's most imperiled salmon run currently listed as endangered by the U.S. Fish & Wildlife Service (USFWS) and the California Department of Fish & Game. These progeny (of a rapidly declining run of upper Sacramento River chinook) are to be reared to maturity in captivity to serve as an insurance program should the run experience further decline and as an enhancement program if the captive broodstock can reinforce the effective population size. Molecular genetic analysis will help to determine which crosses between captive broodstock and wild-caught adults will maximize genetic diversity

The project is anticipated to last for at least ten years. Each year, approximately 1,000 presmolts are transferred to BML from the USFWS Coleman National Fish Hatchery (CNFH) where the wild animals are spawned. Once the fish are seawater-adapted in the spring, a sub-group of 25% of each cohort is transferred to Steinhart Aquarium for further insurance and for public display. The BML portion of the project is divided into three major tasks. The Broodstock group led by Paul Siri, Kristen Arkush and Ron Hedrick rear the fish to maturity and determine environmental and fish health requirements with the goal of achieving mature fish with viable gametes. Dennis Hedgecock is the principal investigator for molecular genetic analysis.

Molecular Genetic Analysis

Molecular genetic tools developed for pedigree determination of the mixed captive, winter run chinook broodstock have been applied to facilitate a number of management decisions this past year. Allocation of Brood Year (BY) 91 offspring to family has enabled selection of candidate spawners with absolute confidence that mating between closely related individuals would be avoided. No family related fitness differences were evident from both the maturation and survival data for this year class. A detailed study of the transmission genetics of microsatellites showed that all loci developed so far show simple co-dominant Mendelian inheritance.

Our continued use of sex-linked polymerase chain reaction (PCR) primers for sex determination revealed a notable excess of females (on average eight females to one male) in BY 91 offspring for all fish living at age two years. We are currently exploring alternative explanations for this surprising result by determining the sex and pedigree of fish that had died before age two. Sexing of wild-caught broodstock has found 15 males and 27 females among the candidate spawners for 1995. On another research front in collaboration with Dr. Kristen Arkush from the fish health section of the project, PCR amplification and DNA sequencing of the rosette agent 16S ribosomal RNA, has yielded resources for the development of screening protocols for disease management. Development of new microsatellite loci has received devoted attention which has resulted in 18 new loci. These, together with the six loci developed in our laboratory last year and 21 loci received in collaboration with other laboratories in Nova Scotia, Seattle and Anchorage bring the total number of loci to more than 40 loci. This greatly increases our power for analysis. These markers appear to be of great value for discrimination between the various runs of chinook salmon that utilize the Sacramento-San Joaquin River drainage system. Such discrimination has great importance for the conservation of winter run. The ability to allocate out-migrating juvenile fish to specific runs enables modification of water management policies in order to lessen the chance of loss of any particular run.

This past year we were able to add characterization of spring run to a database containing microsatellite frequency information for fall, late fall and winter run fish. Three alleles for one locus appear specific only to spring run, although they do not have high frequency in spring run. It remains clear that genotype frequency differences between runs indicate a strong potential for discrimination using mixed stock analysis.

We are in the process of converting from techniques which use radioisotopes to ones using fluorescence for visualization of microsatellite polymorphisms. A number of features associated with fluorescence technology increase the rate at which we are able to generate and process data. These advantages together with the obvious gains of not having to work with radioactivity improve the general nature of our working environment with a notable increase in efficiency.

Fish Disease and Broodstock

Research efforts this year focused on an important disease of the captive winter run chinook, caused by a systemic protist, the "rosette agent", which has contributed to morbidity and mortality in the fish held at both the Steinhart Aquarium and BML. A similar parasite has been detected in other Pacific salmonid populations. Following detection of the rosette agent in the captive population, the California Department of Fish and Game (CDFG) restricted the movement of infected fish and/or their gametes. While this agent has not been detected in wild winter run chinook, it was detected in returning late fall run chinook in 1995 at CNFH. The CDFG has since allowed movement of gametes from the captive broodstock back to CNFH, thereby assuring the continued contributions of the captive program to the propagation efforts. However, methods to detect the parasite, means to control infection, and the relative risk of spread of the disease to other populations continue to be investigated.

A sensitive method to detect the parasite was recently developed at the BML Fish Disease Laboratory in collaboration with the genetic analysis group. Using sequence information from another rosette agent isolate, a rosette agent-specific genomic DNA sequence can be amplified by the polymerase chain reaction (PCR). By this method, DNA from the rosette agent isolates from chinook reared in Puget Sound and from Atlantic salmon raised in a private hatchery in Santa Cruz, California were amplified, demonstrating the similarity among these isolates. The primers are specific for rosette agent DNA, and do not amplify host (salmon) DNA or DNA from other fish parasites tested to date (PKX, a myxosporean; *Loma salmonae*, a microsporidian). These primers will be used to amplify rosette agent DNA from host tissue, thereby providing a more sensitive detection method for the parasite.

Experiments are also underway to evaluate the efficacy of a rosette agent vaccine. *In vitro* cultures of the parasite were killed with formalin, then used to vaccinate yearling chinook held in freshwater. Another experiment in progress is designed to determine the relative susceptibility of 5 salmonid species (*Oncorhynchus mykiss*, *O kisutch*, *O. tshawytscha*, *Salmo trutta*, and *Salvelinus fontinalis*) to infection by the rosette agent. Both of these experiments are being conducted at the University of California, Davis, Fish Disease Laboratory containment facility

Assessment of the risk of disease to other salmonids by the rosette agent, as well as technological development in the tools of early detection and treatment for the disease will assist in the recovery efforts for the winter run chinook through the captive propagation program.

In June of 1995, the broodstock group began preparing for the maturation of the 1991 cohort, the first year class of captive winter run chinook reared at BML. The project began experimenting with ultrasound imaging as a non-invasive alternative to palpation for assessing gamete development Separation of maturing fish from reproductively immature animals by ultrasound allows for segregation of spawning candidates and reduced handling of immature fish. This technique was first described for use in determining salmonid sex and maturation in Norway and is now part of routine aquaculture practice in that country. In June of 1995, Dr. Arkush visited the Norwegian Fish Farmers' Breeding Center at Kyrksæterøra to receive training in the use of ultrasound. The Sacramento River winter run chinook captive broodstock program will be the first project of its type in the U.S. to incorporate ultrasound imaging in husbandry practice. Anesthetized fish may be scanned using a dual frequency (5.0 and 7.5 MHZ) linear probe. Images can be saved digitally and imported into the project's computerized database. In this way, gonadal development and maturation of a particular fish can be followed over time. This information, along with genotypic analysis, can identify broodstock that might contribute to the winter run chinook propagation program.

The broodstock group continued efforts to rear the captive winter run chinook to maturity and to cryopreserve milt from precocious males. Leslie Hain, Karl Menard, and David White have cryopreserved milt successfully this year, and are now planning for long-term, large-capacity cryopreservation of milt. A special evening section of this year's colloquium on Endocrinological Contributions to Pacific Rim Aquaculture focused on the challenges of synchrony and spawning in salmon captive broodstock projects. This workshop was organized by the BML broodstock group and included salmon endocrinologists from numerous institutions throughout the world. Following discussions at this workshop the broodstock group is planning to investigate appropriate endocrine implants to stimulate and synchronize spawning. Additionally, the development of hatchery facilities at BML is underway to allow for on-site spawning. A hatchery would allow experimental tests of inbreeding depression and vertical transmission of the rosette agent, now identified in multiple year classes of captive winter run chinook.

Experiments to evaluate the efficacy of ozone to disinfect seawater for captive broodstock life support began in 1995. Ozone is produced using an OREC model SP3-AR ozonator, with a model DM-100 monitor. An initial design to treat seawater effluent involved batch treatment of water in an in-ground 1500 gallon tank with ozone bubbled into the water. Measurements of total residual oxidants by the indigo method and bactericidal activity of the oxidants by bacterial plate count showed that this initial treatment regime was ineffective. A newly installed Mazzei venturi in-line injection system is being evaluated with promising results.

Summary

To date, the experimental nature of the project, as to whether or not the progeny of spawned wild winter-run could be raised to maturation and harvested for gametes, has been addressed. Five cohorts, including some of the remaining 1991 year class, are in captivity and 30,000 eggs were taken at the end of four years. Numerous broodstock and genetic questions continue to be investigated as the basic research underpinning the role of captive breeding in the maintenance of endangered salmon races. A workshop will be held at the Bodega Marine Laboratory in March 1996 addressing the this question in great detail. Workshop attendees will include all the existing salmon captive breeding programs and researchers and agency personnel from Oregon to Alaska planning new ones. Canadian representatives will also be in attendance. This is an example of the leadership provided by this project in coordinating national scientific focus on salmonid restoration. A goal of the workshop is to publish, in an appropriate fisheries journal, a benchmark paper that is derived from a consensus statement formulated by workshop participants that assesses the status of salmonid captive broodstock technology, progress to date, major research questions and its potential as a restoration tool.

Spring Run Chinook Salmon Work group
1994-95 Progress Report

CA Dept. of Fish and Game Contract # FG405 IF

1. The work group met 11 times in 1994-95. A total of 180 individuals have participated at the meetings. Attendance has varied from 25 to 76 people The mailing list has grown to 250 receiving monthly meeting notices, agendas and meeting notes.

2. During this period, the work group has gone through an evolutionary process. Starting the period as a planning/action forum, it progressed to being a funding agency for restoration projects, and finished as a education/discussion coordination forum.

3. The Work group: developed and worked on a 1995 action plan. This plan went through several redrafts, being modified by the group at successive meetings of the group early in the year. The plan i organized by basins, consisted of the 30 action items detailed in the plan, 14 were substantially accomplished by entities participating in the work group process. The remaining tasks in the action plan, which were not completed during the 1994-95 period will be included in the present 1995-96 contract period.

4. During 1994 the work group focused additional efforts on Butte Creek. The work group supported the effort to eliminate, consolidate re configure, or screen water diversions on Butte Creek. During the period, reports on planning progress on Butte Creek were received by the work group. Discussion and field trips to water diversion sites, led to action by work group members which helped secure funding for a new fish ladder at Parrot-Phelan Dam which is presently under construction. Additionally, workgroup members helped to facilitate funding for the Western Canal Siphon project.

5. During the period, The Nature Conservancy (TNC) became an active participant in the work group process. TNC staff are now attending work group meetings.

6. Department of Fish and Game Wardens were assisted and supported in their effort to organize a volunteer streamwalker group to supplement the efforts of the wardens on Mill, Deer and Butte Creeks. In the summer of 1995, this became an active project.

7. During the period, the workgroup focused effort on the restoration of Spring Run Chinook Salmon habitat in Battle Creek. A series of old hydropower plants on battle Creek had dewatered and blocked critical summer holding reaches of the creek. The work group sought the involvement of Pacific Gas and Electric, the project owner-operators in restoring spring runs in Battle Creek. Work group members and staff worked to support CDFG efforts to involve PG&E. Early in 1995, CDFG and PG&E reached agreement on a restoration plan which involved water rights leasing. (in midsummer 1995, work group members were instrumental in securing Category III funding for this project.

8. The work group continued to support and encourage restoration efforts in the Mill and Deer Creek Basins, and the activities of the two watershed conservancies. The work group planned to seek further involvement with Tehema County Schools. Work group member Anne Bianci has started an innovative watershed involvement program in the Tehama County schools.

9. The work group closely followed and strongly supported the organization of the Deer and Mill Creek Conservancies. The conservancies developed and successfully sponsored a legislative alternative to Wild and Scenic River designation. ;AB 1413, which was signed into law by Governor Wilson in July 1995. The work group provided a forum to facilitate consent for this action by environmental groups and support from fishing groups which had been in support of wild and scenic designation

10. The workgroup actively supported the proposal to secure Delta 4 Pumps mitigation funding of 1.6 million dollars for the Deer Creek water exchange project. This project, when it is on-line, will insure that there are adequate instream flows for spring-run migration in dry years.

11. The work group supported and encouraged actions to improve spring run populations on Big Chico Creek. One such action was relocation of The M&T Ranch pumping plant which is unscreened and which causes a reverse flow problem near the confluence of the creek with the Sacramento river. Relocation of the M&T pumps was identified as a top priority action by CDFG and the work group. Work group members were instrumental in securing Category III funding for this project.

12. The work group intensified its efforts to get more water diverters involved in its process with the result that attendance of irrigation district representatives has increased.

13. While the work group has chosen not to directly involve itself in the wide range of planning and operational issues relating to the impacts on spring-run chinook of migration through the Bay-Delta system, the group has stayed informed on the issue. Regular reports on the progress of the Bay-Delta process were provided to the work group. Unfortunately, the needs of spring-run outmigrants did not receive the same level of consideration in the December 15 Bay Delta Agreement that the winter run did. This was reported to have happened because spring-run were not listed as were winter-run.

14. The work group including several workgroup members supported and participated in the development of a study to review fishery impacts of fall flooding of rice fields for rice straw decomposition. The study, sponsored by The Bay Institute resulted in an interim report completed in the fall of 1994. Two work group members participated in

its preparation. The Bay Institute is continuing its work, and the work group will be briefed on progress.

15. The work group monitored and received reports on The National Marine Fisheries Service Federal Endangered Species Act listing process. Regular reports were provided to the work group. In addition, work group members continued the on going dialogue with groups that are supporting a formal ESA listing.

16.A major portion of the work group's efforts in 1994-95 was on the selection of restoration projects for funding from a $300,000. Congressional appropriation to the Bureau of Reclamation (BOR) for projects deemed by the workgroup to benefit spring-run chinook salmon. The work group was asked to assist the BOR and the National Fish and Wild life Foundation (NFWF)in the selection of projects and the allocation of funds. The project selection process was time consuming and difficult for the work group.

Sixteen project proposals were reviewed and prioritized. Eight projects were subsequently recommended for full funding with a ninth conditionally identified for partial funding as follows:

Fully Funded

(1) A watershed inventory of potential road related sediment sources in the Mill and Deer Creek basins by Meadowbrook Associates

(2) A water temperature study in Butte Creek by the Calif. Dept. of Water Resources.

(3) Administration and continued facilitation of the Spring -Run Work group by the University of California Sea Grant Program.

(4) An evaluation of the habitat potential of the Upper Butte Creek Watershed by the nature Conservancy.

(5) An Instream flow study on Mill Creek by a subcontractor to Nor- Cal Guides.

(6) Control of bamboo at several sites on Deer Creek. by the Deer Creek Conservancy

(7) Installation of livestock exclusion fencing by the Deer Creek Conservancy.

(8) Provide active involvement in the Bay-Delta long-term planning process by Natural Heritage Institute.

Conditionally/Partially Funded

(1) Develop an enhanced GIS database for Mill Creek by Nor-Cal Guides.

After having gone through the often contentious and time consuming project selection process, the work group decided by consensus that it did not want to continue as a funding agency, but rather it would make recommendations for project funding from other sources such as the Central Valley Project Improvement Act.

17. With the completion of the funding process and the successful evolution of watershed conservancies on Deer, Mill, and Butte Creeks, the work group is evolving in the direction of being an education, information sharing, and coordination forum. A 1996 action plan is in preparation. New opportunities for the restoration of spring -run chinook salmon on Battle and Clear creeks have opened up. Meeting attendance is again increasing. The public perception appears to be that the work group has successfully overcome tensions caused by the funding process and is back on course to further the recovery of spring-run Chinook salmon.

Mr. RIGGS. Audrey, thank you.

Ms. TENNIS. Thank you, Mr. Chairman. Thank you, Mr. Riggs. We appreciate all of you and your attention.

Mr. RIGGS. Audrey, do you want very quickly to introduce your fellow water commission members who joined us today?

Ms. TENNIS. Rick Sorensen and Dan Kriege, and Ray Borsh, our Executive Officer. We couldn't do it without him. Thank you.

Mr. RIGGS. Thank you all for being here.

Mr. BEVILL. Audrey, I am sorry I missed your testimony. I will just read it. Okay?

Ms. TENNIS. Thank you very much. We appreciate it. Lots of luck to you

Mr. MYERS [presiding]. On behalf of the committee, we want to apologize to everyone here. We are running about an hour late, but we had votes and then we had a lot of the delegation from California that wanted to be recognized, appropriately.

And I also want to—I would like to address those who had the lunch or the reception last night. I apologize for not being there. The first one I have ever missed, I think, but my wife is hospitalized at Johns Hopkins in Baltimore and I had an appointment with her doctor last night. So I really felt that was more important.

Mr. BEVILL. I took his share of the food.

Mr. MYERS. I will have to——

Mr. BEVILL [continuing]. And expressed his regrets for not being there.

Mr. FAZIO. Well, John, I have to apologize, too. And that is even more of a failure on my part. But I have come down with bronchitis, and my Chief of Staff and my wife, the two women who run my life, told me I ought to go home. So I apologize to all the CMANC members, but we are here today.

Mr. RIGGS [presiding]. As long as we are making amends, let me point out for the record that I wasn't there last night at this—at this joint reception, I understand between CMANC and the Water Commission, because it was my son's 14th birthday. And besides that, we had basketball practice as well. So family first, we say.

Mr. BEVILL. If I had known that, I would have gotten your part, too.

WEDNESDAY, MARCH 6, 1996.

CALIFORNIA MARINE AFFAIRS AND NAVIGATION CONFERENCE

WITNESSES

GERALD L. POPE, EXECUTIVE DIRECTOR

ROD LUNDIN, VICE CHAIRMAN

Mr. RIGGS. Gentlemen, it is good to have you here today.

Mr. Pope.

Mr. POPE. Mr. Riggs, Mr. Bevill and Mr. Fazio, it is our privilege to be here again on the 37th year that CMANC has come back here to deliver testimony on behalf of our California Maritime Projects.

We know that the time is short. We don't want to take too much time, and so I will get right into it with Rod Lundin, who is our Vice Chairman, who will be calling our witnesses to the table. We want to thank you for your past considerations and we look forward to working with the committee in our future requirements. Thank you.

Mr. RIGGS. Mr. Pope, we want to thank you for your invaluable contribution to the bill.

And, Mr. Lundin, thank you for joining us today.

Mr. LUNDIN. Thank you, Gerry.

Gentlemen, I first of all have to indicate, Stan Minuski, our Chairman, was detained in Los Angeles. He regrets not being here, and as Vice Chairman, I was asked to sit in for him.

As Jerry said, we have been here now before you for 37 years, and we have always enjoyed the reception that we have received. We fully understand the time restraints we are in right now, and so, as we have during these 37 years, we are going to be very expeditious.

We are here today, as you know, to present the CMANC recommendations for funding for fiscal 1997. And this is a document that is in your file. We want to point out, we understand there is no President's budget and so, therefore, this year for the first time what we are presenting here in this document are our recommendations. And obviously that will have to be reconciled with the President's budget when it comes out. There are a few changes in the numbers that you find in the summary, and those will be addressed when the individual members come before you.

We are perfectly aware of the budgetary problems that are facing Congress and you folks, and, therefore, we have tried to make our recommendations as reasonable and conservative as possible. However, we would like to point out that the—what the critical economic impact of the maritime industry is on California, not only to California but to the Nation as well.

There is an extremely high ratio of benefit-to-cost spent on those projects, and I think that is important to consider. We have prepared a position paper on this matter and it is in your file.

Thank you once again. We certainly appreciate being here.

WEDNESDAY, MARCH 6, 1996.

CITY OF RANCHO PALOS VERDES

WITNESSES

JOHN McTAGGART, MAYOR, PRO TEM, AND TREASURER, CMANC
LEE BYRD, CITY COUNCIL MEMBER

Mr. LUNDIN. We will get right into the presentation by our project sponsors, and first John McTaggart. He is Treasurer of CMANC and the Mayor, pro tem, of the City of Rancho Palos Verdes.

Mr. MCTAGGART. Thank you, gentlemen, for the opportunity to express our appreciation for your past support.

We are requesting $300,000 to finish the feasibility study of our coastal erosion project which first saw the light of day federally in WRDA 1986. In the interim, I have been around long enough that I am now serving as an officer of CMANC and fascinated by the opportunity to support the Corps in the coastal problems in California.

With that, I am going to show you that we really do intend to be short. Thank you.

[The statement of Mr. McTaggart follows:]

Before
U.S. House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water
Hon: John Myers, Chairman

on

FY1997 Energy and Water Appropriations

presented by
City of Rancho Palos Verdes, California
Hon: John McTaggart, Member
City Council
March 6, 1996

Mr. Chairman and Members of the distinguished Subcommittee, the people of Rancho Palos Verdes thank you for your support in the past and again request your support of the Corps of Engineers Feasibility Study of our shoreline erosion and environmental mitigation study. The study is approximately 70% complete and needs to have the federal match included in the 1997 budget in order to finish this work we began 11 years ago. Our mitigation will prove to be an economic benefit to any port that needs offsight mitigation in the form of an economic infusion into the U.S. economy.

Our City is a partner with the Corps and has extended its available resources about as far as we can afford.

Again, we thank the Subcommittee for it's support and request that the $300K be included in the Bill.

Mr. LUNDIN. Next is Lee Byrd, who is a Councilman of the City of Rancho Palos Verdes.

Mr. BYRD. Thank you, gentlemen, for the opportunity to address you again this year. I certainly enjoyed it last year.

We thank you for your continued support of Rancho Palos Verdes, the coastline erosion study, the feasibility study, presently being done by the Corps of Engineers. At least 1,000 acres of valuable intertidal and subtidal habitat have been destroyed, not to mention 200 homes and other valuable city property. We respectfully ask that $300,000 be included in the fiscal year 1997 appropriations to complete the feasibility study.

The study has been continued, even though it is delayed, through the use of prior year funds. However, without appropriations for 1997, that project will be dead, because the Corps cannot continue with it.

The U.S. Fish and Wildlife and California Department of Fish and Game are cooperating. We have met with them. However, the Corps must complete the feasibility study without further delay.

We certainly appreciate your support and also the support that Congresswoman Jane Harman has made known to the subcommittee. Thank you.

Mr. RIGGS. Thank you, sir.

Mr. LUNDIN. Thank you.

[The statement of Mr. Byrd follows:]

Before the
U. S. House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water

Honorable John Myers, Chairman

Testimony on

FY1997 Energy and Water Appropriations

Presented by

City of Rancho Palos Verdes, California
Honorable Lee Byrd,
City Council Member

March 6, 1996

Mr. Chairman and Members of this distinguished Subcommittee

Thank you for your continued support of the Rancho Palos Verdes coastline erosion study. At least 1000 acres of valuable inter-tidal and sub-tidal habitat have been destroyed; not to mention 200 homes and City property.

We respectfully ask that $300,000 be included in FY1997 appropriations to complete the Feasibility Study.

The study has been continued, though delayed, by use of prior year funds. However, Mr. Chairman, without appropriations for 1997, the project will be dead. Neighboring Federal projects need the resulting mitigation.

The U.S. Fish and Wildlife and the California Department of Fish and Game are cooperating. However, the Corps must complete the Feasibility Study without future delay.

The City greatly appreciates the support that Congresswoman Jane Harman has made known to the Subcommittee.

Thank you.

WEDNESDAY, MARCH 6, 1996.

SAN LEANDRO MARINA CHANNEL

WITNESS

ELLEN CORBETT, MAYOR, CITY OF SAN LEANDRO, CALIFORNIA

Mr. LUNDIN. Next is Ellen Corbett, Mayor of the City of San Leandro.

Ms. CORBETT. Thank you. And I would like to say good afternoon to all of you as well.

Thank you for the opportunity to testify before you regarding our fiscal 1997 appropriation request of $1.5 million for the maintenance dredging at the San Leandro Marina Channel. I have submitted more detailed written testimony for the record, which includes a fact sheet for additional background.

I want to thank you for support of this project in the past. And the Santa Ana Marina is located southeast of San Francisco on the east shore of San Francisco Bay. The marina channel provides access to the bay for the entire region. Our marina and small craft harbor is utilized by citizens from throughout the bay region and provides the engine which drives $8 million of economic activity annually.

This maintenance dredging project is part of a 25-year partnership between San Leandro and the Army Corps of Engineers, and we appreciate this committee for its assistance in the past.

The City of San Leandro has been an equal partner in paying for the cost of this dredging project and has budgeted $1.5 million to the cost of disposing of the dredge materials. This represents a 100 percent match of the requested Federal share.

This project is a model of environmental innovation. It is the only land-based sediment holding site in the region, and the dredge sediment is used to provide wetlands restoration and wildlife habitat.

On behalf of the citizens of San Leandro and the people of the San Francisco Bay area, I hope the subcommittee will look favorably upon our request, and I thank you for your time and consideration and would be pleased to answer any questions you would have.

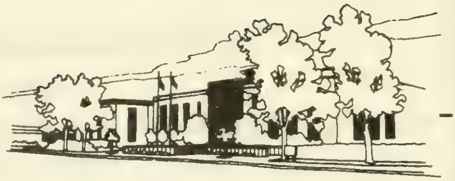
Mr. RIGGS. Thank you, Mayor.

Ms. CORBETT. Thank you very much.

[The statement of Ms. Corbett follows:]

City of San Leandro
Civic Center, 835 E. 14th Street
San Leandro, California 94577

Office of the Mayor 510-577-3356
FAX 510-577-3340



TESTIMONY OF

THE HONORABLE ELLEN CORBETT
Mayor
City of San Leandro

before the

Subcommittee on Energy and Water
Committee on Appropriations
U.S. House of Representatives

on

The FY97 Energy and Water Appropriation and the San Leandro Marina Channel

March 6, 1996

Good morning Mr. Chairman and members of the Subcommittee. Thank you for the opportunity to testify before you today regarding the San Leandro Marina Channel and the Fiscal Year 1997 Energy and Water Appropriation. I am Ellen Corbett, Mayor of the City of San Leandro. I want to speak to you today regarding San Leandro's request for funding for maintenance dredging of the San Leandro Marina Channel in 1997. The Fact Sheet attached to my testimony provides some additional background material supplementing my remarks to you today.

San Leandro is located south east of San Francisco in the San Francisco Bay region and is home to approximately 70,000 people. A key feature of the City's geography is the 4.5 miles of San Francisco Bay shoreline that the City owns and which provides a number of environmental and natural resource activities to the citizens of San Leandro and the entire eastern region of the San Francisco Bay Area. At present, the shoreline--known as the Shoreline Recreation Area--includes a 455 berth marina, three restaurants, a hotel, a small boat sailing lagoon, two golf courses and extensive park facilities, including the City's portion of the San Francisco Bay Trail, which when completed, will encircle the entire San Francisco Bay.

While the Shoreline Recreation Area provides many different recreation opportunities, it is the Marina and the Small Craft Harbor that is the engine behind much of the recreational and economic activity within the Area. The Marina provides berthing for hundreds of small crafts which use the Marina Channel to access the deep waters of the San Francisco Bay. Because of the unique location of the Small Craft Harbor, it, along with the Marina and the Channel to the Bay, is utilized by citizens from throughout the Bay Area. It is estimated that $8 million is generated annually within the Shoreline

Recreation Area. We are also currently working on additional economic development in this area, some of which will assist on future dredging maintenance funding activities.

The 1997 dredging event is anticipated to generate approximately 200,000 cubic yards of dredged material which the City will transfer to the City's Dredged Material Management Site (DMMS), the only land based sediment holding site in the region. Disposal of the sediments on land both removes harmful heavy metals from the Bay and, because of the environmentally conscious way the Site is managed, provides a habitat for shorebirds during the years between dredging cycles and contributes to the City's Marshlands Restoration project which has restored approximately 400 acres of wetlands.

In addition to the recreation and economic benefits that are linked to the San Leandro Marina, Small Craft Harbor and Channel, they satisfy other needs. For example, the Nine Bay Area County Regional Transportation Network has designated the Marina and the Small Craft Harbor as a potential secondary ferry location that could be utilized to transport goods and people to critical points such as airports and hospitals should a highway or other transportation arteries become inaccessible. Also, the U.S. Coast Guard has incorporated the Marina and Small Craft Harbor to remain vital components of these regional and disaster preparedness activities.

The City and the Army Corps of Engineers have shared on an equal basis both the responsibilities and costs associated with dredging the San Leandro Marina Channel. The Corps has traditionally undertaken the actual dredging of Marina Channel while the City handles the drying and disposal activities. This collaborative approach has been successfully employed for nearly 25 years. Next year will be no exception. Indeed, the City has budgeted $1.5 million for the costs of drying the dredged materials and its disposal upland. With the costs of dredging the San Leandro Marina Channel in 1997 estimated at $1.5 million, the local-Federal ratio represents a 100% match by the City.

Access to the San Francisco Bay is an integral component of the San Leandro Marina and Small Craft Harbor and, therefore, to the success of the entire Shoreline Recreation Area. The Marina and Harbor contribute significantly to economic development in the City and the region, to environmental quality in the Bay and the City's Marshalnds Restoration project, and to regional emergency preparedness needs. As such, Congressman Pete Stark, Senator Dianne Feinstein and Senator Barbara Boxer strongly support the dredging of the Marina Channel and have written to the Administration to urge that funding for the project be included in the President's FY97 Budget. We also appreciate the strong support of the California Marine Affairs and Navigation Conference (CMANC).

On behalf of the citizens of San Leandro and those from throughout the Bay Area, I hope that this Subcommittee will look favorably upon our request for maintenance dredging assistance. Thank you for your time and consideration and I would be pleased to answer any questions members of the Subcommittee may have.

f:\cm\cmcorr\sue\mayor.tst

WEDNESDAY, MARCH 6, 1996.

PORT OF EUREKA-HUMBOLDT BAY HARBOR RECREATION AND CONSERVATION DISTRICT

WITNESSES

NANCY FLEMMING, MAYOR, CITY OF EUREKA
ROY CURLESS, PRESIDENT, HUMBOLDT BAY HARBOR COMMISSION

Mr. LUNDIN. Next we have Nancy Flemming, Mayor of the City of Eureka.

Ms. FLEMMING. Thank you. I am the Mayor of the City of Eureka, and I am also a California Coastal Commissioner.

Mr. RIGGS. And also a very good friend and very important constituent of mine.

Ms. FLEMMING. Well, thank you very much, Mr. Riggs.

Good afternoon to all of you, and thank you for having me here. I am here as the Mayor of the City of Eureka, Port of Eureka, Humboldt Bay, to tell you about the strong partnership that the City of Eureka and our Humboldt Bay Harbor District share.

They put so much work and effort into the deepening of the harbor. We put millions of dollars of commitment toward the land-side improvements/port enhancement that in our region is the key to our future. You are one of our partners and we rely on this, and we appreciate the help you have given us in the past.

As we tie together the transportation issues in Northern California, we are also proposing in our harbor an intermodal facility that we will be talking with you over the next few years about helping us fund. But tying the harbor, which is about transportation, to the intermodal inland facility that would service our rail, buses, and our new cruise ship industry that is coming into the Port of Eureka, thanks to the partnership with our harbor district and city working together. We are diversifying the uses on our harbor, and we think that is an important part of our future.

The intermodal facility that we will also be introducing is a concept that is new and different, and we think will be a model concept for the entire country in that it will produce its own revenues.

It will have child care facilities for the customers that come there. It will service the buses, trains, rail and have all of our visitor-serving uses there as well. We will have retail and restaurants. So it is an important part of connecting to the bay.

We will be working on this in the future and coming to you for funding, and this is a great opportunity for the Port of Eureka and the City of Eureka to come together as partners, and ask you to be partners in our future.

Thank you very much.

Mr. RIGGS. Thank you, Mayor Flemming.

[The statement of Ms. Flemming follows:]

STATEMENT
OF
MAYOR NANCY FLEMMING
EUREKA, CALIFORNIA
AT A HEARING ON
FISCAL YEAR 1997 ENERGY AND WATER APPROPRIATIONS
BEFORE
THE SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
COMMITTEE ON APPROPRIATIONS
U.S. SENATE
WASHINGTON, D.C.
WEDNESDAY, MARCH 6, 1996

Good morning Mr. Chairman, Members of the Committee. I am here as Mayor of the City of Eureka - the Port of Eureka, Humboldt Bay, to tell you about the strong partnership the City of Eureka has with the Humboldt Bay Harbor District. This is a successful partnership to augment our budgets and maximize our potential. We consider you an integral part of that partnership. We are committed to keeping our port a viable deep water port, creating economic health in a depressed region. Humboldt Bay is our greatest asset. Together we have diversified the uses on Humboldt Bay. We have brought two new industries to Humboldt Bay that will create value-added products - a much needed diversification as our natural resources are depleted. Together we created history by bringing the first cruise ships to Humboldt Bay as a port of call, and it is of paramount importance that we continue the Humboldt Bay and Harbor deepening project. Humboldt Bay is about transportation and we are partnering with Humboldt Transit Authority on a new transportation concept. An intermodal facility serving buses, trains and cruise ship passengers. This multi-use facility, combining these services with visitor serving facilities as well as child care facilities would be a public/private partnership, and unique in that this public facility will produce revenues, and reduce the drain on taxpayer dollars. We believe this intermodal project to be a model project for the country, as a partner, leveraging Federal dollars with local dollars to keep our Harbor and transportation services viable for years to come.

Thank you for this opportunity to request support for the Port of Eureka, Humboldt Bay, and its projects. We are moving forward. We have a vision. We have a plan. And with partnerships we have begun implementation. We need your help.

Mr. LUNDIN. Our next presenter and sponsor is Roy Curless, President of the Humboldt Bay Harbor Commission.

Mr. CURLESS. I will be very brief, Mr. Chairman, Frank.

Mr. RIGGS. Particularly since you know you are going to see me at the Fortuna Parade and Rodeo. You can always bend my ear there.

Mr. CURLESS. You want to talk about the Rodeo, really the Humboldt Bay Harbor District has a dredge project of $3 million. We are looking for your support and I have submitted my written testimony.

Thank you, gentlemen, very much.

Mr. RIGGS. Let me just also, if we can, Roy, did you want to recognize Jerry real quick?

Mr. CURLESS. I would be happy to. You got me confused about the Fortuna Rodeo. This is Jerry Scott and his wife Mary, as well as Dolores Valentini from Eureka.

Mr. RIGGS. We are so pleased to have you all here. Thank you so much for your testimony.

Mr. LUNDIN. Thank you, Mr. Riggs.

[The statement of Mr. Curless follows:]

STATEMENT
OF
COMMISSIONER ROY CURLESS
PRESIDENT
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT

AT A HEARING ON
FISCAL YEAR 1997 ENERGY AND WATER APPROPRIATIONS
BEFORE
THE SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
COMMITTEE ON APPROPRIATIONS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.

WEDNESDAY, MARCH 6, 1996

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, THANK YOU FOR THE OPPORTUNITY TO APPEAR BEFORE YOU.

I AM COMMISSIONER ROY CURLESS, PRESIDENT OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, AND I AM HERE REPRESENTING ITS GOVERNING BODY OF ELECTED COMMISSIONERS.

THE COMMISSION HEREIN EXPRESSES ITS APPRECIATION TO OUR CONGRESSMAN FRANK RIGGS, A MEMBER OF THIS COMMITTEE, AND TO YOU, MR. CHAIRMAN, AND TO CONGRESSMAN FAZIO, AND THE OTHER MEMBERS OF THIS SUBCOMMITTEE AND STAFF, FOR THEIR CONTINUING EFFORTS IN FUNDING THE DEEPENING NAVIGATION PROJECT OF CRITICAL IMPORTANCE NOT ONLY FOR FUTURE DEVELOPMENT BUT FOR THE SAFETY OF HUMBOLDT BAY AND ITS USERS. IN PARTICULAR, MR. CHAIRMAN, THE COMMISSIONERS OF HUMBOLDT BAY VALUE YOUR EFFORTS TO MOVE THE PROJECT THROUGH THE ADMINISTRATIVE REVIEW PROCESS.

THE COMMISSION IS GRATIFIED THAT THE CHIEF OF ENGINEERS, IN OCTOBER OF 1995, APPROVED THE NAVIGATION IMPROVEMENT PROJECT FOR HUMBOLDT BAY AND HARBOR. I UNDERSTAND THE CHIEF'S REPORT IS AWAITING TRANSMITTAL TO CONGRESS AND THE OFFICE OF MANAGEMENT AND BUDGET (OMB) HAS RECEIVED A BRIEFING ON THE PROJECT BY THE CORPS.

A $3 MILLION APPROPRIATION FOR FY97 WOULD ENABLE THE CORPS TO INITIATE CONSTRUCTION. THE PRELIMINARY ENGINEERING AND DESIGN WORK STARTED IN 1995.

THE HUMBOLDT BAY AND HARBOR DEEPENING PROJECT IS A KEYSTONE IN THE OVERALL HUMBOLDT BAY ENHANCEMENT PLAN. THIS PLAN IS CONCEIVED TO DIVERSIFY THE ECONOMY, FROM HISTORICALLY A RESOURCE TIMBER ECONOMY AND TO CREATE SAFER HARBOR OPERATIONS IN ONE OF THE MOST VALUABLE ESTUARINE HARBORS. PORT DEVELOPMENT IS IMPORTANT TO HUMBOLDT BAY HARBOR DISTRICT AND THE SURROUNDING REGION BECAUSE OF THE POTENTIAL FOR JOB GROWTH. THE UNEMPLOYMENT RATE IN HUMBOLDT COUNTY IS 9.1% AND AS HIGH AS 18% IN ONE OF THE NEIGHBORING COUNTIES.

THE HARBOR COMMISSION IS WORKING IN COOPERATION WITH HUMBOLDT COUNTY, THE CITY OF EUREKA, AND THE NORTH COAST RAILROAD AUTHORITY BUT NEEDS FEDERAL CONTRIBUTION AS THE KEYSTONE IN ORDER TO MEET ITS FINANCIAL COMMITMENTS. THE COMMISSION, AS LOCAL SPONSOR, HAS COMMENCED THE FORMATION OF A HUMBOLDT BAY HARBOR IMPROVEMENT DISTRICT, WHICH WILL ALLOW US TO PROCEED SIDE BY SIDE WITH THE FEDERAL GOVERNMENT.

THANK YOU FOR THIS OPPORTUNITY TO REQUEST SUPPORT FOR THE HUMBOLDT BAY AND HARBOR DEEPENING PROJECT AS PART OF THE FISCAL YEAR 1997 ENERGY AND WATER REGULAR APPROPRIATIONS. WE LOOK FORWARD TO APPEARING BEFORE YOU IN THE FUTURE AND PROVIDING PROGRESS REPORTS ON THIS CRITICAL PROJECT.

WEDNESDAY, MARCH 6, 1996.

MORRO BAY HARBOR IMPROVEMENT PROJECT

WITNESS

CATHY NOVAK, MAYOR PRO TEM, CITY OF MORRO BAY

Mr. LUNDIN. Next is Cathy Novak, Mayor pro tem of the City of Morro Bay.

Ms. NOVAK. Good afternoon, Mr. Chairman. My name is Cathy Novak. I am a commercial fisherman from Morro Bay.

Over 120 years ago the local mariners and others requested the assistance of the Federal Government to solve the problem of the Morro Bay Harbor entrance. Congress authorized the Army Corps of Engineers to help with our problems. It was not only in 1942 when the U.S. Navy requested assistance that any improvements were made; when the war ended, the Corps of Engineers retained the responsibility to maintain the harbor.

Many ebbs and flows have happened since that time. However, I am here today to proudly say that because of your past appropriations, we are near completion of our harbor entrance improvement project.

Mr. Chairman, not only is Morro Bay the only all-weather commercial and small craft harbor in a 200-mile stretch of the California coast, but this harbor provides approximately 700 jobs, $53.5 million annually to the economy.

Therefore, the City Council respectfully asks the subcommittee to appropriate $300,000 for engineering and design in fiscal year 1997 in preparation for maintenance dredging in fiscal year 1997. Now that we have this valuable project done we would all like to strive to maintain it.

Finally, as Mayor Pro Tem of Morro Bay, President of the Morro Bay Commercial Fishermen's Organization and Vice Chairman of the California Seafood Council, I again thank the Congress for its support on the Corps' work at Morro Bay. I also urge your continued congressional support of the West Coast commercial fishing industry that is so vital to Morro Bay.

[The statement of Ms. Novak follows:]

Statement of
Cathy Novak
Mayor Pro Tem
Morro Bay, CA
Before the
Committee on Appropriations
Subcommittee on Energy and Water
U. S. House of Representatives
March 6, 1996

Morro Bay Harbor Entrance prior to completion of Entrance Improvement Project.

Mr. Chairman,

Over 120 years ago local mariners and others requested the assistance of the Federal Government to solve the treacherous navigational problems at the Morro Bay harbor entrance. Congress, at that time, authorized the Army Corps of Engineers to investigate our problem. It was not until 1942 when the US Navy requested assistance that any improvements were made. When the war ended, the Corps of Engineers retained the responsibility to maintain the harbor.

Many ebb and floods have happened since that time. However, I am here today to proudly say that because of your past appropriations we are near completion of our harbor entrance improvement project.

Mr. Chairman, not only is Morro Bay the only all weather commercial and small craft harbor in a 200 mile stretch of the California Coast but, this harbor provides approximately 700 jobs and 53.5 million dollars annually to the economy.

Therefore, the City Council respectfully asks the Subcommittee to appropriate $300,000 for engineering and design in FY97 in preparation for maintenance dredging in FY98. Now that we have this valuable project done, I would like all of us to strive to maintain it.

Finally, as Mayor Pro Tem of Morro Bay, President of the Morro Bay Commercial Fisherman's Organization, and Vice Chairman of the California Seafood Council, I again thank the Congress for its support of the Corps' work at Morro Bay. I also urge your continued Congressional support of the West Coast commercial fishing industry that is so vital to Morro Bay.

U.S. Coast Guard and City of Morro Bay Harbor Patrol standing by at Harbor Entrance area.

ANALYSIS OF ECONOMIC BENEFITS OF DREDGING MORRO BAY HARBOR

EXECUTIVE SUMMARY

Morro Bay Harbor navigational improvements were initially constructed as an emergency naval base during World War II. In FY 1995-96 the Army Corps of Engineers (ACOE) completed construction of the Morro Bay Harbor Entrance Improvement Project to enhance commerce, fisheries and navigational safety on the Pacific coast. Since World War II the ACOE has constructed and maintained the navigational features in Morro Bay harbor. Recently, the ACOE has proposed policies that would limit federal maintenance dredging efforts in recreational harbors. This report concludes that Morro Bay harbor is a small commercial harbor with significant local and national economic importance and analyzes the benefits of continued federal maintenance dredging in Morro Bay harbor.

Morro Bay Harbor supports approximately 250 home ported commercial fishing vessels and related marine dependent businesses; the Chevron Estero Bay Marine Terminal, the PG&E Morro Bay power plant, and a thriving tourism industry based on port activities. Due to the fact the harbor has very little recreational harbor facilities to generate revenues, there is no local sponsor to assist with dredging costs should the federal government cease or reduce maintenance dredging support. All of the above uses would be reduced or eliminated without federal dredging support. In addition, in 1995 Morro Bay was incorporated into the National Estuary Program. While studies are underway, it now appears that dredging of navigational channels enhances tidal dynamics and promotes restoration of estuary resources. This benefit cannot be quantified in economic terms at this time.

Following is a summary of economic benefits from dredging:

DIRECT PRODUCTION AND PAYROLL ANNUAL VALUE:	**$53.5 MILLION**
DIRECT EMPLOYMENT:	**711 JOBS**
INDIRECT SALES AND SERVICES VALUE:	**$32 MILLION**
INDIRECT EMPLOYMENT:	**250 JOBS**
SHIPPING/CARGO SERVICES VALUE	
Chevron Estero Bay Marine Terminal crude oil through put:	**$500 MILLION**
ANNUAL FEDERAL DREDGING COST:	**$ 1,200,000**
ANNUAL ECONOMIC BENEFITS:	**$53,500,000**

EACH FEDERAL DOLLAR INVESTED IN DREDING MORRO BAY HARBOR
RETURNS 45 TIMES IN ECONOMIC BENEFIT

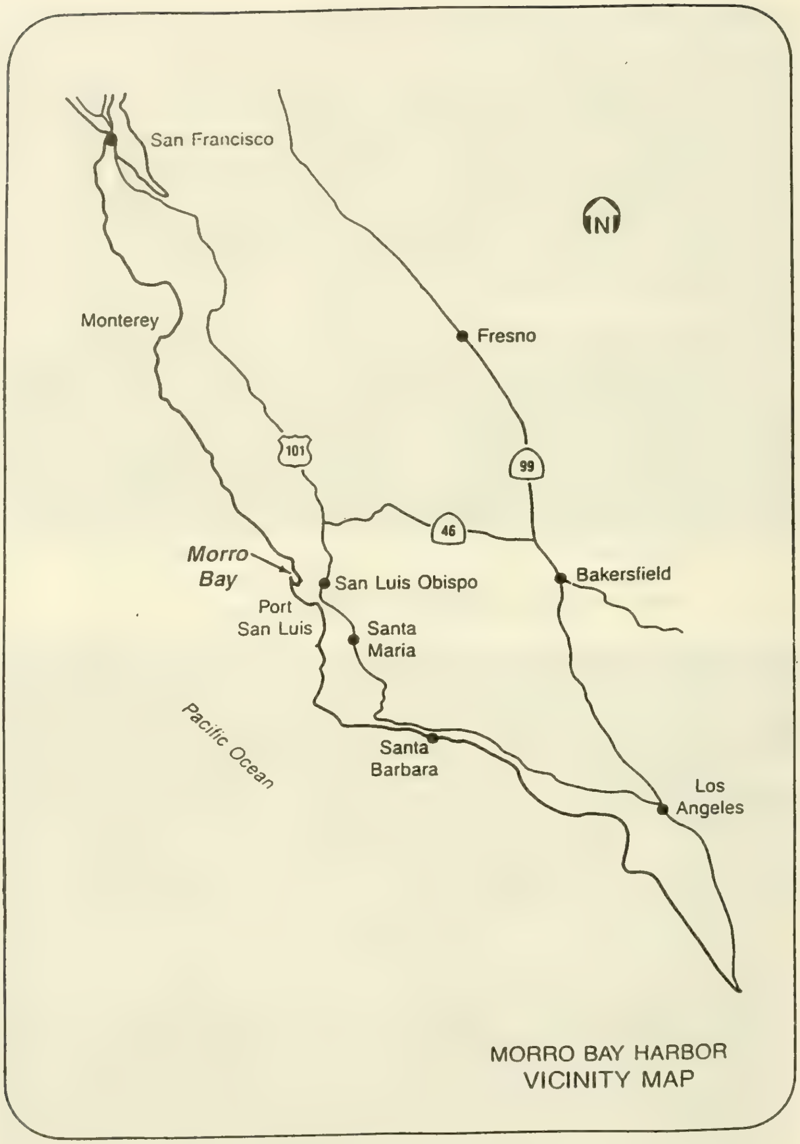


Figure 1. Project Location

WEDNESDAY, MARCH, 6, 1996.

SAN MATEO COUNTY HARBOR DISTRICT

WITNESSES

DONALD SHERER, BOARD OF HARBOR COMMISSIONER
BETTY STONE, BOARD OF HARBOR COMMISSIONER

Mr. LUNDIN. Next we have Don Sherer of our Board of Harbor Commissioners.

Mr. SHERER. Good morning. I have submitted written testimony that I would like to have made part of this record, and I would paraphrase the written testimony.

The Corps of Engineers has been conducting a recon study for a Federal project channel at Pillar Point Harbor in San Mateo County for the last two years. We have been told the Corps has determined that they have a continued interest in the harbor, and the cost-benefit ratio required by the law is there.

To date, the recon study for Pillar Point Harbor has cost the Corps of Engineers $346,000. The feasibility study will cost the Corps $745,000 and cost the San Mateo County district $360,000. The actual dredging will run $820,000. Of this total project, $1,925,000, of which only 43 percent is for the actual construction, the remaining 57 percent will have gone to studies and other costs associated with the project.

We sincerely believe the U.S. Government does have continued interest in the industry of the harbor itself. Likewise, we believe that the U.S. Government should have a continuing interest in similar harbors not only in California, but up and down the coast of the United States.

We, the small harbors, do not mind paying our fair share of the costs. However, Congress and the Corps must find ways to make smaller projects cost less to local sponsors. Several in the San Francisco office of the Corps of Engineers have suggested that provisions can be made to proceed directly from the recon study to the construction stage for smaller projects such as ours. If this could be formalized, you and I as taxpayers and representatives would be further ahead. Thank you.

Mr. RIGGS. We appreciate those policy recommendations. I think they are thoughtful, and I think they do go to the heart of some of the concerns that smaller port authorities or harbor districts have.

Mr. SHERER. We are looking at approximately 43,000 cubic yards.

Mr. RIGGS. Is Pillar Point on the coast or the bay?

Mr. SHERER. It is on the coast of Half Moon Bay.

[The statement of Mr. Sherer follows:]

TESTIMONY

BEFORE THE HOUSE APPROPRIATIONS SUBCOMMITTEE

ON

ENERGY AND WATER DEVELOPMENT

Presented by the Honorable Donald Sherer
Board of Harbor Commissioners
San Mateo County Harbor District
San Mateo County, California

March 6, 1996 - Washington, DC

Good Morning

Thank you very much for giving me the opportunity to testify before you today on what has become a pivotal issue for the U.S. Government, and its relationship to the States.

Historically, the federal government has had an interest in the creation and maintenance of small vessel commercial harbors on the coast. The various harbors have served coastwise shipping, the offshore oil industry, fisheries and a myriad of other users over the years. The revenues derived from these smaller harbors have contributed greatly to the local communities, states and the Federal government through the taxes imposed on wages, sales, imports, etc. Although I don't have the figures in front of me I am sure that the cost/benefit ratio over time, beginning with the creation of most of the individual ports has been well in excess of the current guidelines to warrant federal involvement.

The Corps of Engineers has been conducting a RECON study of the Pillar Point Harbor over the past two years. Numerous visits have been made to the harbor to view the breakwater. the beach areas, the marsh area and intertidal habitat, and of course, the commercial facilities of the harbor. Thousands of hours of combined staff time have been devoted to providing assistance to the Corps personnel in conducting their study. We have been told that the

Corps has, in fact, determined that they have a continued interest in the harbor; that they are interested in creating a federal project channel from the Pillar Point lighted entrance buoy, through the breakwater entrance, and to the Romeo Pier; and that the cost/benefit ratio required by law, is there. We, the San Mateo County Harbor District applaud the Corps of Engineers in making this determination, because truly, there should be a federal interest in the harbor.

To date, the RECON study for Pillar Point Harbor has cost the Corps of Engineers - read that as taxpayer - you and I, approximately $346,000. The appropriated amount for this study was to be $385,000 and closure cost will probably eat up the balance of $39,000.

The estimated cost for Step 2 of the process, the Feasibility Study, will cost approximately $720,000 of which the San Mateo County Harbor District will be required to pay $360,000, or 50%. We have been told that we can pay a portion of this "in kind", however I don't believe the District could provide enough "in kind" staff time, studies, or even smoked salmon to make a dent in the required $360,000 contribution. On completion of the Feasibility Study the total cost to the Corps will have been approximately $745,000 and the cost to the San Mateo County Harbor District will have been $360,000 - A total of approximately $1,105,000.

Step 3 of the process - the actual dredging - will cost approximately $820,000. Of this, the Corps - once again, read as taxpayer, you and I - will be responsible for 80%, or $656,000. The San Mateo County Harbor District will pay the remaining 20%, or $164,000.

The total cost of this project will have cost a total of $1,925,000 of which only $820,000 or 43% will be for actual construction. The remaining 57% will have gone to studies and other costs associated with project development. In that approximately 43,000 cubic yards of material will be moved this amounts to approximately $44.76 per yard of material. Of this, the San Mateo County Harbor District will have paid $12.19 per yard.

Sirs, we sincerely believe that the U.S. government does have a continuing interest in the interstate industry of Pillar Point Harbor, and hence, the harbor itself. Likewise, we believe that the U.S. Government should have a continuing interest in similar harbors, not only in California, but up and down the coasts of the U.S. We, the smaller harbors do not mind paying our fair share of costs, however, congress and the Corps, itself must find ways to make the smaller projects cost less to the local sponsors. Several in the San Francisco office of the Corps of Engineers have suggested that provisions could be made to proceed directly from the RECON Study to the construction stage for the smaller projects such as ours. If this could be formalized, you and I as taxpayers and representatives of all U.S. citizens, would be further ahead.

In closing, we, the San Mateo County Harbor District, representing all of the citizens of San Mateo County, California, support the funding proposal for the Corps of Engineers for fiscal year 1997 and encourage the Corps of Engineers to continue to investigate ways to better make the available dollars go further.

Thank you for your time, and best wishes from people of San Mateo County.

Mr. LUNDIN. Also from San Mateo County Harbor District is Commissioner Betty Stone.

Ms. STONE. Good afternoon. Pillar Point harbor is a small commercial fishing harbor and it is the only point of refuge between the Golden Gate and Santa Cruz, so as Congressman Lantos has pointed out many times, we are important.

We began a dredging project that we need help in finishing. There is a possibility that there may be some budget constraints because we are a small commercial harbor not involved in commerce, and we are asking for your support in maintaining those items in the budgets.

We also want to tell you that the sport fishing for salmon has already started out good. Any time you want to come down, we are going to be there for you.

Mr. RIGGS. We would love to do that. At least you are having a good fishing season. We are trying to have a fishing season in the Klamath Management Zone.

[The statement of Ms. Stone follows:]

TESTIMONY

BEFORE THE HOUSE APPROPRIATIONS SUBCOMMITTEE

ON

ENERGY AND WATER DEVELOPMENT

Presented by the Honorable Betty Stone
Board of Harbor Commissioners
San Mateo County Harbor District
San Mateo County, California

March 6, 1996 - Washington, DC

Good Morning:

It's a real pleasure to be here today to give testimony before congress. The money that you appropriated last year for continuation of the Pillar Point Harbor RECON Study has been well used. At each stage of the study not only did our staff contribute their time and efforts to assist the Corps with its research, but we also involved the local community. We put Corps personnel in direct contact with local historians, authors, bird-watchers, environmentalists, naturalists, fishermen, yachtsmen, kyakers, windsurfers - anyone who was a user of the harbor was invited and encouraged to offer input. I can truthfully say that the RECON Study done by the Corps was complete and that the cost/benefit ratio is real.

Historically, the smaller harbors have been the lifeblood of the nation. Over time, many of the harbors have become primarily recreational harbors, however, this was not always the case. During the early years of the U.S. when our clipper ships were the greyhounds of the sea and we were a true maritime power the busiest port in the nation, as measured by import duties, was not New York or Boston, but Wiscasset, Maine. In terms of total number of vessels and density of traffic, one of the busiest commercial port areas today is not Long Beach or Oakland, but, the Miami

River. The entire Caribbean basin is serviced by the small, coastal and intercoastal vessels, all of which contribute to the economy of southern Florida and the U.S

I are not here to today to testify about other areas. although we all know that the federal pie is getting harder and harder to divide, and each section of the country and each segment of society deserves its fair piece. I am here to talk about the federal interest in the small craft harbors of California, and in particular Pillar Point Harbor.

The sport salmon season has just started. At the present time our harbor is operating at over 100% of capacity. When the commercial fishing vessels arrive from Oregon, Washington, Alaska and Southern California for their salmon season boats will be rafted side-to-side, utilizing all available water space.

Last year our testimony emphasized the interstate importance of Pillar Point Harbor to the nation as a whole. This argument continues to be valid. In addition, should the small craft commercial harbors be forced to close down or restrict their operations because of lack of water depth, the thousands of commercial fishing vessels, offshore supply vessels, and other users would be forced to use the harbors and waters presently shared by large tankers, container ships and bulk carriers. The continued safety of commerce and the environment require that vessels not be congested unnecessarily. As the world becomes smaller, the importance of the second tier, small craft commercial harbors becomes more important.

Thank you for your time and attention. If you have any questions please give us a call. I invite each of you to come out to Pillar Point Harbor and see first-hand the importance of the local and interstate, commercial fishing industry to California and to the U.S.

WEDNESDAY, MARCH 6, 1996.

OCEANSIDE HARBOR MAINTENANCE DREDGING PROGRAM

WITNESS

DICK LYON, MAYOR, CITY OF OCEANSIDE

Mr. LUNDIN. Next with us, from the City of Oceanside, is Mayor Dick Lyon.

Mr. LYON. Mr. Chairman, and members, I am here speaking initially as the president of the Oceanside Harbor District. The district requests your support of $800,000 in the fiscal year 1997 budget for the Oceanside Harbor Maintenance Dredging Program and engineering and design for fiscal year 1998 dredging.

The Maintenance Dredging Program is necessary for the safe navigation into Oceanside Harbor and the United States Marine Corps Base Camp Pendleton Harbor. We share that entrance into both harbors. The program will additionally provide beach sand restoration, shoreline protection, and associated recreational benefits.

Now, wearing another hat, this one a regional hat, as a board member and member of the Executive Committee of the San Diego Association of Governments, the San Diego Aircraft Carrier Home Porting Project, which is described in the written statements submitted by Deputy Mayor Stallings, the city of San Diego, jointly with SanDag, described a once-in-a-lifetime opportunity for dredge sand to be used to widen our badly eroded beaches all the way up and down the San Diego coast, the County of San Diego coastline.

The United States Army Corps of Engineers has been of great assistance on this project in two ways. First, the Corps has evaluated the cost of getting the dredge sand to the region's beaches. Secondarily, the Corps has been able to identify the Federal responsibility for the eroded beaches in the northern portion of the region resulting from the construction of Camp Pendleton in 1942 at the outbreak of World War II.

If we are successful in obtaining supplemental Department of Defense funding, it is a win-win-win situation for our Navy, our beaches, and our residents and visitors alike.

I thank you very much for allowing me to offer this testimony, and a written statement supplements the issues that I have just described to you.

I would like very much to introduce those who have accompanied me to this hearing, and that is Deputy Mayor Carol McCanley, who has already testified under the CWC, and our director of harbor and beaches, Mr. Don Hadley, and I want to thank you again.

[The statement of Mr. Lyon follows:]

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STATEMENT
to the United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
March 6, 1996

The Honorable John Myers, Chairman

Oceanside Harbor Maintenance Dredging and
Engineering and Design for Fiscal Year 1998 Dredging
Oceanside, California

Dear Chairman Myers and Members of the Subcommittee:

The Oceanside Harbor District requests your support of $800,000 in the fiscal year 1997 budget for the Oceanside Harbor Maintenance Dredging Program and Engineering and Design for Fiscal Year 1998 Dredging. The Maintenance Dredging Program is necessary for the safe navigation into Oceanside Harbor and the U.S. Marine Corps Base Camp Pendleton Harbor. The program will additionally provide beach sand restoration, shoreline protection and associated recreational benefits.

Thank you for your continued support of all our projects.

Respectfully submitted,

Dick Lyon

Dick Lyon
President

Mr. RIGGS. And thank you, Mayor.

Let me point out that Congressman Bilbray, when he testified earlier, indicated—and I am looking at his written testimony now—indicates that he and other members of the San Diego delegation may be seeking funding for the Navy's home porting project for beach replenishment in the military construction appropriations bill as opposed to the energy and water development appropriations bill.

Mr. LYON. That is true. In that sense, what I have just offered to you is, quote-unquote, informational in nature, and hopefully it will be in MilCon. But we may be back knocking at your door if it does not show up there.

Mr. RIGGS. Thank you again.

WEDNESDAY, MARCH 6, 1996.

PORT OF LONG BEACH PROJECTS

WITNESS

E.D. ALLEN, CHIEF HARBOR ENGINEER, PORT OF LONG BEACH

Mr. LUNDIN. Next is past chairman of CMANC, but now the chief engineer of the Port of Long Beach, Mr. Dan Allen.

Mr. ALLEN. Chairman Riggs, it is a pleasure to testify on behalf of our four requests. I will not elaborate on our written testimony, but I do want to point out two things that are different from the listing of projects that CMANC has previously submitted.

The first is our dredging for our 2020 project. It indicates that there is a lesser amount for total project cost than what it is we are requesting, and that is because it reflects the reimbursement we intend to give to the Federal Government. There is a difference in the numbers, and that is because there is a reimbursement calculation in there to the Federal Government.

The second project deals with our L.A. River dredging, and since we have had some recent storms, the quantity estimate for dredging has gone up, and so instead of the $3 million that is shown on the list, our written testimony requests $5.7 million.

I have photographs I can leave for the staff that shows this.

Mr. RIGGS. Please do.

Mr. ALLEN. And I appreciate the opportunity to be here again before you.

Mr. RIGGS. We appreciate that. I don't know if you were present, but Congressman Horn earlier gave a very, very informative presentation to the subcommittee on the needs of the Port of Long Beach.

Mr. ALLEN. Thank you.

[The statement of Mr. Allen follows:]

TESTIMONY OF E. D. ALLEN
CHIEF HARBOR ENGINEER FOR THE PORT OF LONG BEACH
ON BEHALF OF THE
LONG BEACH BOARD OF HARBOR COMMISSIONERS
BEFORE
CONGRESSIONAL ENERGY AND WATER DEVELOPMENT SUBCOMMITTEES
WASHINGTON, D.C.
March 6, 1996

I am E. D. Allen, Chief Harbor Engineer for the Port of Long Beach, California. I have been authorized by the Board of Harbor Commissioners of the City of Long Beach to represent the Port of Long Beach in regard to appropriations for the Los Angeles and Long Beach Harbors Model Study; Planning, Engineering, and Design for our on-going 2020 Plan; Los Angeles River maintenance dredging; and Reconnaissance and Feasibility Studies for beach erosion.

Harbors Model Maintenance

The Water Resources Development Act of 1976, Section 123, authorized the Chief of Engineers to operate and maintain the Los Angeles-Long Beach Harbor Hydraulic Model at the U. S. Army Corps of Engineers Waterways Experiment Station in Vicksburg, Mississippi as part of the Los Angeles and Long Beach Harbors Model Study. This model encompasses both port complexes in San Pedro Bay, which, as you are aware, are ports of national significance. The hydraulic model, along with several numeric models, provides state-of-the-art methodology that can be used on the San Pedro Bay ports and on many other harbor complexes. In addition, the Port, as the local agency, is assisting in the Corps' effort to provide continuous wave-gauge data by providing necessary support personnel and equipment for the maintenance of portions of the system located at the Port.

In fiscal year 1996, $156,000 was appropriated for maintenance of the physical model of San Pedro Bay. During this time, the Port also utilized the model to analyze necessary navigation-related modifications to the recently completed portion of our expansion plan, as well as our upcoming expansion within the Navy Basin. This effort is being funded by the Port and is currently on-going. It is necessary that the model remain ready for service such as this. Funding in fiscal year 1997, in the amount of $160,000, would continue annual maintenance on the model. Additionally, we are requesting $340,000 of continued funding for the wave gage (prototype) data acquisition and analysis program. This program began in 1987 to develop data for the design of the 2020 Plan port expansion and navigation improvements. This program has now evolved to construction monitoring and model verification which needs to continue in order to confirm expected levels of impacts of the expansion plans. Therefore, Congress is respectfully requested to appropriate **$500,000** for fiscal year 1997 to perform this work.

2020 Plan - Channel Dredging (Planning, Engineering, and Design)

The Port of Long Beach has developed a long-range master plan, referred to as the 2020 Plan, which demonstrates the need for new navigation channels and additional landfill development through the year 2020. In fiscal year 1995 $1,500,000 was appropriated to do a feasibility study of channel deepening outside the federal breakwater.

Section 201(b) of the Water Resources Development Act of 1986 authorized construction of the 2020 Plan upon recommendations of a feasibility report and completion of a favorable Chief of Engineers Report.

The Port of Long Beach has started the first phase of the 2020 Plan with the construction of its Pier J expansion project, which includes dredging the Long Beach Main Channel to at least a -76' depth. Together with the approach channel deepening outside the federal breakwater, the dredging was evaluated for Federal interest in the feasibility study because it permits deeper draft crude petroleum vessels to call at the Port of Long Beach.

The feasibility study for completion of the Long Beach portion of the 2020 Plan was completed in September 1995. Completion of the Planning, Engineering, and Design (PED) Phase has been funded and is scheduled for December 1996. It is urged that the Committee approve an appropriation of **$17,000,000** to fund the construction phase of the Long Beach portion of the 2020 Plan beginning in fiscal year 1997. This will allow construction to follow right behind the design process with no gap in funding.

Los Angeles River Maintenance Dredging

The Port of Long Beach also concurs with and supports the recommendation of C-MANC and the City of Long Beach with respect to federal funding for remedial maintenance dredging to remove accumulated flood-deposited silt in the mouth of the Los Angeles River. During the storms of 1995, such flood-deposited silt closed the mouth of the Los Angeles River to navigation. This restricted regularly scheduled water route transportation between the cities of Long Beach and Avalon, creating an economic emergency. Reacting to this emergency, the U. S. Army Corps of Engineers cleared the channel enough to allow for minimal resumption of navigation.

However, substantial quantities of silt remain in the channel, much of which is just upstream of the recently reopened section. These silt deposits create the likelihood of future serious restrictions and safety hazards to commercial and recreational boating activity in, and adjacent to, the Long Beach Harbor District and the associated businesses in Long Beach. Such restrictions and hazards have resulted in accidents and litigation.

In addition, the Port supports the City in recommending that these silt deposits be removed on an annual basis as a scheduled work item. As previously demonstrated, the location of the silt can move dramatically within a few days. In "Project Plan for Los Angeles River Estuary Maintenance Dredging, Long Beach, CA, October 1994" (Project Plan-1994), the Corps of Engineers estimated an average annual deposit of silt in the estuary of 485,000 cubic yards. The rate of such deposits is influenced by operational decisions at the Corps of Engineers' dams located at the headwaters of the river. It is imperative, for our current operations, that a long range remedy be found for the Los Angeles River mouth, if navigational utility and effective flood control capability is to be maintained.

Although the Projects Plan-1994 cites a memorandum indicating sufficient capacity to effectively accommodate flood waters when released from Sepulveda and Hansen Dams, we are concerned as to how that capacity is maintained over time, given the annual level of silt deposition. The flood flow is also accompanied by a velocity and volume of the river, through the portions of the river historically dredged by the Corps, that has caused the loss of, or damage to, navigational buoys, marina mooring facilities, dredging equipment, and the waterway usage by various commercial and recreational vessels. The most recent deposits, despite the emergency channel clearance, have resulted in extensive shoaling that still hinders navigational utility in the area.

It is estimated by the Corps of Engineers, in Project Plan-1994, that maintenance dredging of the channel to a minimum usable width, a project that does not clear all shoaling that hinders navigation, is $1,900,000. This is a level of dredging that allows for an annual accumulation of almost 175,000 cubic yards of silt deposits beyond what is being dredged and allows for the uncertainty of a rapidly developing shoal in any time of significant storms. An annual expenditure of $5,700,000 would be necessary to clear all annual silt deposits and prevent an accumulation of that material. Congress is requested, therefore, to appropriate **$5,700,000** for the accomplishment of this critically needed work.

Reconnaissance/Feasibility Study - Beach Erosion

The Port of Long Beach also supports C-MANC and the City of Long Beach on their request for federal funding to complete a Corps of Engineers reconnaissance study on beach erosion. In southeastern Long Beach, east of the Port's land and channels, and directly opposite the federal breakwater, a beach and seawall protects approximately $200,000,000 worth of homes. Steady erosion had reduced the beach from an optimum of 175 feet to 30 feet prior to City's efforts in late 1994 to rebuild the beach. Winter storms continue to reduce the beach width.

Recently, the City has also experienced erosion in the west beach area. Although homes are not endangered, public improvements, including lifeguard stations, public restrooms, a bicycle and pedestrian trail, and a parking lot, are at risk. The cause of the new problem is unclear, indicating the need for a thorough study of the beach erosion problem inside the federal breakwater.

The primary method of protecting the homes has been annual rebuilding, with the building of sand berms during high tides or expected storms. In the past 14 years, the City has invested over $5,000,000 in capital improvement projects, annual beach rebuilding, and storm protection to control the beach erosion. Despite this effort, in 1989 and 1993, storm waves eroded the beach and breached the protective seawall, causing damage to homes. In fiscal year 1996, $195,000 was budgeted to rebuild eroded beaches. The City is also defending itself against a lawsuit by one of the homeowners who is claiming that the City failed to halt erosion that narrowed the beaches in front of his home to less than the desired width adopted in the 1980 Local Coastal Plan.

It is requested, therefore, that Congress appropriate **$300,000** to complete the reconnaissance study of the beach erosion problem within the City of Long Beach and initiate the feasibility study. This beach erosion problem is directly related to the focusing affect the federal breakwater has on our large commercial harbor complex and surrounding beaches.

Attached hereto is Resolution No. HD-1801, adopted by the Board of Harbor Commissioners of the City of Long Beach on February 20, 1996, which contains data relating to the background of the Los Angeles and Long Beach Harbors Model Study, the 2020 Plan implementation, the Los Angeles River dredging, the beach erosion problem in Long Beach, and other related navigation and economic matters. The resolution stresses the need for federal assistance in developing economic, technical and environmental background information essential to the design and permitting of Port facilities vital to regional and national interests. **The Port of Long Beach is the largest container port in the United States and is the economic engine driving $3.5 billion in customs receipts from both Los Angeles and Long Beach ports and jobs for 500,000 people. We are truly a port and harbor of national significance.**

We kindly ask that Congress continue its support of these projects in fiscal year 1997 by appropriating the requested funds.

Thank you for permitting me the privilege of this presentation.

EDAllen
E. D. Allen
Chief Harbor Engineer

Joh alhoun
City Attoı , Long Beach
333 West Ucean Boulevard
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(310) 570-2200

RESOLUTION NO. HD-1801

A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH, CALIFORNIA, REQUESTING THE CONGRESS OF THE UNITED STATES TO APPROPRIATE FUNDS TO THE UNITED STATES ARMY CORPS OF ENGINEERS IN ORDER TO CONTINUE PLANNING, ENGINEERING AND DESIGN FOR THE SAN PEDRO BAY 2020 PLAN, TO CONTINUE THE LOS ANGELES AND LONG BEACH HARBORS MODEL STUDY RELATING TO IMPROVEMENTS IN SAN PEDRO BAY, TO CONDUCT MAINTENANCE DREDGING AT THE MOUTH OF THE LOS ANGELES RIVER AND TO CONDUCT RECONNAISSANCE AND FEASIBILITY STUDIES OF BEACH EROSION

WHEREAS, the Ports of Long Beach and Los Angeles in San Pedro Bay, California, are two of a limited number of sites on the West Coast of the United States which possess the potential for deep water port facilities as recommended in the West Coast Deep Water Port Facility Study conducted by the United States Army Corps of Engineers; and

WHEREAS, the Ports of Long Beach and Los Angeles have a record of both physical and fiscal growth to the extent that together the two are presently handling over 164.4 million metric revenue tons of cargo annually (fiscal year 1995), and the international cargo handled is valued at over 145 billion dollars annually (calendar year 1994); and

WHEREAS, the growth and activity of the Ports of Long Beach and Los Angeles have a significant regional and national economic effect; and

WHEREAS, in excess of 3.5 billion dollars in federal revenues were collected as United States Customs duties on foreign imports passing through the Ports of Long Beach and Los Angeles during the fiscal year ending September 30, 1994; and

WHEREAS, both Ports are now, and are increasingly becoming, hard-pressed to provide facilities to meet the needs of the shipping industry, and to that end are conducting extensive studies, in conjunction with federal studies, to determine navigational, transportation, and environmental requirements necessary to provide economic and adequate surge-free berthing and cargo handling facilities; and

WHEREAS, all existing land in the Port of Long Beach which can be developed for shipping operations has been utilized or is in the process of being developed and, in order to meet the needs of the following decade, the design, permitting and construction of new lands must continue; and

WHEREAS, continuation of the studies currently underway by the United States Army Corps of Engineers, consisting of the Los Angeles and Long Beach Harbors Model Study, including maintenance and operation of the San Pedro Bay Hydraulic Model at Vicksburg, Mississippi, as authorized by Section 123 of the Water Resources Development Act of 1976, is needed for use in the design and permitting processes for future landfills for port development; and

WHEREAS, the Port of Long Beach handled over 26 million metric tons of liquid bulk cargo (fiscal year 1995). Because of

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economies of scale, liquid bulk cargo brought in by deeper draft vessels will have lower transportation costs. However, the existing navigation channel depths leading to the Port limit the size of calling vessels; and

WHEREAS, One Million Five Hundred Thousand Dollars ($1,500,000) was appropriated in fiscal year 1995 for a feasibility study of channel deepening outside the federal breakwater. The feasibility study was completed in 1995. Completion of planning, engineering, and design has been funded and is scheduled for December, 1996; and

WHEREAS, the Los Angeles River is the largest of numerous flood-control channels constructed and maintained jointly by the Los Angeles County Flood Control District and the United States Army Corps of Engineers, and silt deposit from heavy storm runoff in recent years accumulating in the mouth of the Los Angeles River in the City of Long Beach constitutes a restriction and hazard to both commercial and recreational boating; and

WHEREAS, the Board of Harbor Commissioners of the City of Long Beach, as a properly constituted and financially responsible local agency, by its Resolution No. HD-890, adopted August 3, 1965, expressed its intent to enter into such agreements as may be reasonably required to further federal projects for the development and improvement of Long Beach and Los Angeles Harbors; and

WHEREAS, at southeastern Long Beach in front of Alamitos Bay a beach and seawall protects Two Hundred Million Dollars ($200,000,000) worth of homes. The primary method of protecting the homes has been annual beach rebuilding and sand berms during storms. Steady erosion has reduced the beach from optimum width of 175 feet to 30 feet and continues to reduce beach width despite rebuilding efforts in 1994. In the past 14 years, the City has invested over Five Million Dollars ($5,000,000) in capital improvement projects, annual beach rebuilding and storm protection to stop erosion. Despite this effort, in 1989 and 1993, storm waves eroded the beach and breached the protective seawall causing damage to homes.

NOW, THEREFORE, the Board of Harbor Commissioners of the City of Long Beach resolves as follows:

Section 1. That the Congress of the United States be, and is hereby, respectfully requested to appropriate simultaneously the funds necessary for the Chief of Engineers, United States Army Corps of Engineers, to maintain the San Pedro Bay Hydraulic Model at the Waterways Experiment Station at Vicksburg, Mississippi, as part of the Los Angeles and Long Beach Harbors Model Study.

Sec. 2. That the Congress of the United States be, and is hereby, respectfully requested to appropriate simultaneously the funds necessary for the Chief of Engineers, United States Army Corps of Engineers, to complete the construction phase of dredging deeper navigation channels to the Port of Long Beach.

Sec. 3. That the Congress of the United States be, and is hereby, respectfully requested to appropriate simultaneously the funds necessary for the Chief of Engineers, United States Army Corps of Engineers, to continue the existing wave gauge (prototype) data acquisition and analysis program.

Sec. 4. That the Congress of the United States be, and is hereby, respectfully requested to appropriate simultaneously the funds necessary for the Chief of Engineers, United States Army Corps of Engineers, in conjunction with the Los Angeles County Flood Control District, to engage in the necessary maintenance dredging at the mouth of the Los Angeles River to remove silt deposits which have accumulated at that location.

Sec. 5. That the Congress of the United States be, and is hereby, respectfully requested to appropriate simultaneously the funds necessary for the Chief of Engineers, United States Army Corps of Engineers, to complete reconnaissance and feasibility studies to develop protective measures to prevent beach erosion within the City of Long Beach.

Sec. 6. That the Executive Director of the Long Beach Harbor Department be, and he is hereby, directed to send copies of this resolution to the United States Senators and to Members of the House of Representatives from California, with a letter requesting their assistance in presenting this resolution before the proper Congressional committees.

Sec. 7. That the Executive Director of the Long Beach Harbor Department be, and he is hereby, further directed to send copies of this resolution to the President of the United States; the Director, Office of Management and Budget; the Secretary of the Army; the Chief of Engineers, the Director, Directorate of Civil Works, the Division Engineer-South Pacific Division and the District Engineer-Los Angeles, all of the United States Army Corps of Engineers; and to such other interested persons as he may deem appropriate.

The Secretary of the Board shall certify to the passage of this resolution by the Board of Harbor Commissioners of the City of Long Beach, shall cause the same to be posted in three (3) conspicuous places in the City of Long Beach, and shall cause a certified copy of this resolution to be filed forthwith with the City Clerk of the City of Long Beach and it shall thereupon take effect.

I hereby certify that the foregoing resolution was adopted by the Board of Harbor Commissioners of the City of Long Beach at its meeting of February 20, 1996, by the following vote:

Ayes: Commissioners Hancock, Perez, Murchison, Bellehumeur, Hearrean
Noes: Commissioners None
Absent: Commissioners None
Not Voting: Commissioners None

George Murchison
Secretary

RLL:dmp
2/14/96
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WEDNESDAY, MARCH 6, 1996.

LOS ANGELES BOARD OF HARBOR COMMISSIONERS

WITNESS

DICK WITTKOP, 2020 PROGRAM MANAGER, PORT OF LOS ANGELES

Mr. LUNDIN. Next we have the 2020 program manager from the Port of Los Angeles, Dick Wittkop.

Mr. WITTKOP. Thank you very much.

I am speaking on behalf of Leland Wong, president of the board Of Harbor Commissioners, who, along with Commissioner Lee Anderson, were unable to attend this meeting. Lee Anderson particularly asked me to convey her regrets in not being able to be here today to report on the progress of the port.

Mr. Chairman, our written statement sets forth our request for funding for construction and maintenance dredging. Specifically, we are asking for an additional down payment of $27,850,000, which, I would like to note, differs from the CMANC recommendation, toward the federally approved share of $108.6 million on the Pier 400 dredging and landfill project.

This project has a total cost of $550 million. The port is well into stage 1 of this project, which we are fully funding, and has already accumulated approximately $50 million in Federal credits. With dredging of stage 2 to begin in fiscal year 1997, it is important we begin drawing down on this credit so that the total project can be completed in the year 2000.

This date is not just an imaginary goal, it is directly tied to contracts the port is negotiating with future tenants. These tenants, in turn, will handle the imports and, in particular, the exports that not only keep the port going but keep commerce throughout the region and across the country expanding.

On behalf of the City of Los Angeles, the Port of Los Angeles, and the businesses that are served by the port, I request that your subcommittee help us keep this project on schedule.

Thank you very much.

Mr. RIGGS. And how much does your request differ from CMANC's?

Mr. WITTKOP. By $27 million.

[The statement of Mr. Wong follows:]

Testimony of

Leland Wong

President

Los Angeles Board of Harbor Commissioners

before the

House Energy and Water Development

Subcommittee on Appropriations

March 6, 1996

Mr. Chairman and Members of the Subcommittee:

I am Leland Wong, President of the Los Angeles Board of Harbor Commissioners. My testimony, on behalf of the City of Los Angeles, and its Board of Harbor Commissioners, supports the continuation of the federal role in the implementation of major navigation improvements at San Pedro Bay, California.

Pier 300/400 Implementation under the 2020 Development Program

The Commissioners, management and staff of the Port of Los Angeles have been working since early 1985 with the U.S. Army Corps of Engineers on implementation of the 2020 Plan for San Pedro Bay which was authorized in Section 201(b) of the Water Resources Development Act (WRDA) of 1986 (P.L. 99-662) and further sanctioned by Section 104 of WRDA 88 (P.L. 100-371) and Section 102(c) of WRDA 90 (P.L. 101-640).

The 2020 Plan accurately predicted the phenomenal growth of the San Pedro Bay Ports of Los Angeles and Long Beach and mapped out a capital development plan that would accommodate this growth well into the 21st Century. Divided into phases, the implementation of the 2020 Plan is currently entering Stage II which we refer to as the Pier 400 Dredging and Landfill Project.

It is at this juncture that we come before your subcommittee, Mr. Chairman, to request the first sizable down payment on the federal share.

Stage II Design and Construction

We urge this subcommittee to appropriate $27,850,000 to allow the Los Angeles District Engineer's office to complete the engineering and design phase of the Pier 400 Dredging and Landfill Project and to begin construction of these Stage II improvements in FY 1997. This will ensure project completion no later than FY 2000 thereby realizing construction efficiencies and lower costs. More importantly, the request is based on a construction schedule that is directly linked to proposed commercial agreements pledging the early use of the facilities in FY 2000.

The contracts for Stage I construction were awarded by the Port of Los Angeles in 1994 and construction remains on schedule with completion in June 1997. Stage I includes dredging new federal navigation channels to existing land at Pier 300 and reclaiming approximately 265 acres of new land at Pier 400.

This request for Stage II construction is in keeping with the credit agreement establishing the federal interest consistent with WRDA '86 and current Corps policy. The credit agreement was executed by the Port on March 9, 1995, and by the Assistant Secretary of the Army (Civil Works) on March 27, 1995. The federal share is set at $108.6 million (October 1993 prices) of the total project cost of $550 million. It also identifies the contractual relationship between the Corps and Port for designing, constructing and monitoring the project.

Cargo throughput for San Pedro Bay is expected to triple between 1990 and the year 2020. The Port's ability to meet demands placed on it by this growth is dependent on deep water channels, such as those to be constructed under the Pier 400 project, capable of accommodating the largest vessels in the world fleet. These large vessels allow for the efficient transport of cargo, providing consumers with lower cost imports and more competitive exports. Deep water channels translate into national economic benefits as outlined in the attached *"Pier 400 Dredging and Landfill Project Briefing Document"* dated January 1996. The return on federal investment will greatly exceed the cost/benefit ratio as determined by the Corps of Engineers in the project feasibility study dated

September 1992, by increasing tax collections and customs receipts, benefits not included by the Corps. In addition, the federal investment will help to insure that one of the nations largest ports remains competitive into the 21st Century.

Maintenance Dredging of Existing Federal Channels

With regard to the existing maintenance of the Port, we urge the subcommittee to include an appropriation of $2,700,000 for completing the maintenance dredging of the Glenn Anderson Ship Channel and other existing federal channels at the Port to a depth of 45 feet below MLLW. We would like to thank this subcommittee for appropriating requested funds in the Corps of Engineers' FY 1995 budget for maintenance dredging of portions of the Glenn Anderson Ship Channel and other existing federal channels at the Port. The Los Angeles District Engineer awarded a contract for the initial required maintenance dredging work in August 1995, which was completed in December 1995. We also urge this subcommittee to include an additional appropriation of $800,000 in order to conduct a federal channel condition survey and a federal breakwater rehabilitation study.

Vicksburg Models Funding

We further ask this subcommittee for a modest $165,000 appropriation for ongoing maintenance of the models at the Corps' Waterways Experiment Station (WES) in Vicksburg, Mississippi, during FY 1997. In addition, $325,000 is needed for continued wave data collection by WES which is necessary to validate the numerical and physical models used for project design. During the course of the state-of-the-art design effort for the Pier 300 channels and the Pier 400 land reclamation, the Port was able to successfully utilize many of the advanced modeling and design tools available at WES. Eight separate, but related, models developed and maintained by the scientists and engineers of WES were used during the design of the Pier 300/400 project by Port engineers with full participation by the Los Angeles District Engineer's staff. Maintenance of the Vicksburg hydraulic physical model and its prototype data acquisition facilities remains an essential resource for the District Engineer and the Port of Los Angeles.

Summary

In summary, the Port of Los Angeles urges your subcommittee to include in the Corps of Engineers' FY 1997 budget appropriation: $27,850,000 to complete the design phase and begin construction of Stage II; $2,700,000 for maintenance dredging; $800,000 for surveys and studies of the channels and breakwaters; $165,000 for maintenance of the Vicksburg models and $325,000 for continued wave data collection. The Port of Los Angeles has long valued the understanding exhibited by your subcommittee of the importance of the Port industry to the economic health of the nation. This understanding has been evidenced by appropriation of scarce federal resources for harbor and navigation projects such as ours.

Thank you, Mr. Chairman, for the opportunity to submit this testimony in support of continued federal activities at the Port of Los Angeles.

LELAND WONG

President
Los Angeles Board of Harbor Commissioners

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WEDNESDAY, MARCH 6, 1996.

SAN DIEGO UNIFIED PORT DISTRICT

WITNESS

MARINUS W. BAAK, DIRECTOR OF ENGINEERING

Mr. LUNDIN. Next, it is a pleasure to introduce Marinus Baak, the director of engineering for the Port of San Diego.

Mr. BAAK. Acting Chair Riggs and other subcommittee members, my name is Marinus Baak, and I am the director of engineering for the Port of San Diego. This is my first experience coming before your committee. I must say, it has been an enlightening experience, and I appreciate the opportunity and the privilege.

My testimony supports the request by the Corps of Engineers for a reconnaissance study to deepen the Federal navigation channel in San Diego harbor. A resolution authorizing this study is currently before the Transportation and Infrastructure Subcommittee, and, as Brian Bilbray had indicated, it is expected to be addressed by the full committee tomorrow. So we assume that the project is an authorized project.

The Port of San Diego, on its side, has initiated a number of projects to improve the landside infrastructure, and we request your support and appropriation for $300,000 to deepen our access channel.

Thank you very much for your time.

Mr. RIGGS. Thank you very much.

[The statement of Mr. Baak follows:]

TESTIMONY OF MARINUS W. BAAK, DIRECTOR OF ENGINEERING

SAN DIEGO UNIFIED PORT DISTRICT

BEFORE THE

HOUSE APPROPRIATIONS SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

MARCH 6, 1996

Good morning Mr. Chairman and Members of the Subcommittee:

I am Marinus W. Baak, Director of Engineering for the San Diego Unified Port District. My testimony today, on behalf of the San Diego Unified Port District and its Board of Port Commissioners, supports the request by the U.S. Army Corps of Engineers for funding to conduct a reconnaissance study. The study would evaluate the Federal interest in modifications of the existing Federal navigation channel at San Diego Harbor, California. Proposed modifications include dredging to deepen the channel. A deeper channel is necessary to provide safe navigation access to existing and potential new maritime facilities operated by the San Diego Unified Port District

The San Diego Unified Port District has the responsibility to manage and develop the tidelands of San Diego Bay for commercial, navigational, fishery and recreational uses. The member cities of the Port District are San Diego, National City, Chula Vista, Imperial Beach and Coronado. Under the Port District's jurisdiction are over 5,275 acres of tidelands of which 2,500 acres are filled land and 403 acres are ocean front tidelands.

The Port of San Diego considers itself an "economic engine" for the San Diego region. The Port District operates and maintains two marine terminals and engages in other related business and economic activities. These economic activities result in regionally significant fiscal impacts, including: economic output, value added, employment and associated payroll, as well as federal, state and local taxes.

An economic and fiscal impact analysis conducted in 1992 confirmed the significant contribution by the Port District to the federal and local economy. Direct and indirect fiscal and tax revenue was estimated to be $7.42 billion per year. The federal portion of these fiscal and tax revenues is estimated to be 287 million ±.

To maintain and enhance its ability to contribute to the region's economic growth and viability through high wage job creation, the Port District has identified strategic initiatives. One of these is the dredging of the navigation channel in San Diego Bay. This dredging is needed to maintain and enhance access to the Port District's marine terminals. The Port of San Diego is becoming the port of choice for new and expanding import/export trade in motor vehicles, containers, and bulk cargoes. A deeper channel is needed to accommodate deep draft vessels serving these international markets.

In addition, the Port District has initiated a number of programs to improve the land-side infrastructure. These initiatives include: (1) $16 million to design and construct improvements to the 10th Avenue Marine Terminal seawall, (this project has been awarded and will commence within 30 days); (2) coordination of local agencies from San Diego and Imperial Counties, long and short haul railroad companies, and representatives from federal Mexican agencies to implement refurbishment of the San Diego and Arizona Eastern railroad; and (3) negotiation with Burlington Northern-Santa Fe Railroad for a first phase, $8 million, rail improvement project at the National City Marine Terminal (subsequent phases could exceed $20 million).

In conclusion, the San Diego Unified Port District requests your support and appropriation of $300,000 in Fiscal Year 1997 for the U.S. Army Corps of Engineers to initiate a reconnaissance study of modifications of the existing Federal navigation channel at San Diego Harbor. The port provides convenient access to the international import/export trade. Full potential can only be achieved through land-side infrastructure improvements and dredging of the navigation channel.

WEDNESDAY, MARCH 6, 1996.

CITY OF SANTA BARBARA

WITNESS

JOHN BRIDLEY, WATERFRONT DIRECTOR

Mr. LUNDIN. We will now hear from the waterfront director of the city of Santa Barbara, John Bridley.

Mr. BRIDLEY. Mr. Chairman, members of the distinguished subcommittee, I first want to thank the subcommittee for including investigation and planning cost-shared funding for the procurement of a dredge in your bill last year. We now believe that the acquisition of this dredge can actually start in fiscal year 1997. Therefore, on behalf of the city of Santa Barbara, I am asking for $5,790,000 to start this action.

Mr. Chairman, members of the subcommittee, we believe that procurement of a dredge for the Santa Barbara harbor and turning over the local operation of annual harbor entrance, maintenance, and dredging will allow the subcommittee to delete from its bill over a million dollars annually in O&M funding. This has been demonstrated at another California harbor where over $9 million has been saved in the last 8 years.

We believe this new and unique localization of the operations and management mission of the Corps of Engineers can save the Federal Government millions of dollars annually.

On behalf of the city of Santa Barbara, I would like to thank you for this opportunity, and I have submitted a written statement for the record.

Mr. RIGGS. Thank you. And, as I indicated earlier, this is certainly an intriguing proposal in terms of the long-term cost savings to Federal taxpayers.

[The statement of Mr. Bridley follows:]

Statement

of

John Bridley, Waterfront Director

City of Santa Barbara, California

before the

Committee on Appropriations
Subcommittee on Energy and Water

U.S. House of Representatives

March 6, 1996

Mr. Chairman and Members of this distinguished Subcommittee, I thank the Committee for including investigations and planning cost-shared funding for the procurement of a dredge in your bill last year. Acquisition of a dredge can start in Fiscal Year 1997. Therefore, on behalf of the City of Santa Barbara, California, I am asking for $5,790,000 to start that action.

Mr. Chairman, procurement of a dredge for Santa Barbara Harbor and local operation of annual Harbor entrance maintenance will allow this Subcommittee to delete from its bill $1,038,000 in annual O&M funding. This has been demonstrated at another California harbor where at least $9 million has been saved over the last eight years.

This new and unique localization of the operations and management mission of the Corps of Engineers will save the Federal government millions of dollars.

Thank you for the opportunity to appear before your committee.

WEDNESDAY, MARCH 6, 1996.

SANTA CRUZ PORT DISTRICT

WITNESS

BRIAN FOSS, PORT DIRECTOR

Mr. LUNDIN. Next, another former director, or chairman, of CMANC, Brian Foss, who is the port director of the Santa Cruz Port District.

Mr. FOSS. Congressmen Riggs and Fazio, we are the harbor that saved $9 million over the last 10 years, because in 1986 this committee, through the Corps of Engineers and the Port District, joint-ventured a dredging district for Santa Cruz Small Craft Harbor, and it has been a wonderful partnership and success. We have a picture on page 2 of our testimony which we have submitted. As we speak, it works today and it does a wonderful job.

We are here to propose that we extend our contract, which ends in 2014, to 2024 or beyond, as our Congressman Farr indicated. Concurrently, we propose to modify the Corps of Engineers' MOA to help the Port District financially extend this contract.

This means we are asking for $1.8 million total authorization through 2024. This means that over the next 40 years, or the 40 years that we maintain the Federal channel, the Federal Government will pay $2.2 million in O&M, which is 7 percent of the total cost; the Port District would pay $29 million, which is $93 million. This request is concurrent with the wording of legislation that would change the MOA.

I come with a second hat today. I am a member of the California Maritime Infrastructure Bank Board, and this was formed 2 years ago with the ambitious mission of providing ports and harbors with the infrastructure financing needed for the next century.

California harbors' and ports' needs are about $3 billion over the next 5 years, just to the year 2001. Those are numbers that you don't have to talk about in this committee. Somewhere in between the local sponsors's ability to get financing and the Federal Government's ability to help, there needs to be other funding sources, and the bank is set up to do that.

All the Federal agencies think this is a wonderful idea. Unfortunately, the bank was legislated into existence broke and remains so.

We come with no specific request for this committee today, but we are asking for your help in trying to identify how we get these things off the ground, because they are important. The Department of Transportation is sponsoring 10 States to try to do this very thing. We were the first. So the bank is very important for our future.

I want to introduce the vice chairman of our commission, Bill Geisreiter, and Commissioner Ron Merrall, who have accompanied us today.

Mr. RIGGS. Very interesting testimony.

Who owns the Seabright harbor dredging?

Mr. FOSS. It is owned by the Port District, but we jointly maintain the Federal channel at currently no further cost to the Federal Government, except for this proposal.

Mr. RIGGS. Have you gotten a response from the Corps to your proposal to extend the O&M?

Mr. FOSS. They would like to extend this contract, but we are looking for an official proclamation, I guess, from the chief.

Mr. RIGGS. Very good.

[The statement of Mr. Foss follows:]

SANTA CRUZ HARBOR
Gateway to the Monterey Bay
National Marine Sanctuary

BEFORE
THE HOUSE COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
HONORABLE JOHN T. MYERS, CHAIRMAN

March 6, 1996

TESTIMONY ON
FY '97 APPROPRIATION

FOR CORPS OF ENGINEERS
O&M FUNDING
FOR SANTA CRUZ HARBOR ENTRANCE
$1.8 Million

PRESENTED BY,
BRIAN E. FOSS
PORT DIRECTOR
ON BEHALF OF THE
SANTA CRUZ PORT DISTRICT COMMISSION

Santa Cruz Port District
135 5th Ave., Santa Cruz, CA 95062   (408) 475-6161   FAX: (408) 475-9558

Santa Cruz Harbor Dredge

"SEABRIGHT"

On The Job

A Successful Joint-Venture Story

U.S. Army Corps of Engineers

and

Santa Cruz Port District

BACKGROUND

In 1986, the Secretary of the Army and the Santa Cruz Port District joint-ventured a dredging system for Santa Cruz Small Craft Harbor. It now serves marine commerce and contributes to California's economic recovery. This venture has been an enormous success and has made the harbor the year-round, all-weather, regional facility it was envisioned to be. It has also been a shining example of what can be accomplished with a federal / local partnership plan.

However, the existing system deserves several modifications:

- It is in force only to the year 2014, which is far short of the system's life;
- It is costly to the Port District beyond the intent of the 1985, enabling legislation and the 1986, Cooperative Agreement.

PROPOSAL FOR THE WATER RESOURCES DEVELOPMENT ACT OF 1996

The Port District has proposed to the House Transportation and Infrastructure Committee that the existing 1986, M.O.A. between the U.S. Army Corps of Engineers be amended as follows:

1) Extend the Port District's commitment to dredge the federal project to the year 2024.

2) Recalculate the equities of the original cost share formulas to reflect current dollar values. Total new dollar value to the Port District is $1.8 million.

APPROPRIATION REQUEST

If the Santa Cruz Port District proposal is included in the 1996, WRDA legislation, then the Port District requests that the Energy and Water Development Committee appropriate the $1.8 million for the program.

JUSTIFICATION FOR COST SHARE RE-EVALUATION

The basic inequity that exists is that the original 1985, federal legislation (H.D. 357) committed the federal government to operations and maintenance support of a sand bypass system. The federal contribution of $35,000 per year (to the end of the project in 2014) has never been adjusted for inflation. The federal commitment of $35,000 per year in 1985, was meant to be significant: *"In lieu of maintenance of the dredged general navigation channels, the United States would contribute a maximum of $35,000 annually as the federal share of the* *cost of the bypassing system. The sum of $35,000 represents the estimated annual cost of maintenance of the navigation channels for a littoral transport rate averaging 25,000 cubic yards annually."*[1] In 1996, the $35,000 figure would have a current value of nearly $200,000.

As reference, $200,000 is 34.7% of the current Port District total cost of $577,000 per year. $35,000 is 6.1%

1992 FEDERAL RECONNAISSANCE STUDY

It is relevant that a federal reconnaissance study was conducted in 1992. The purpose of the study was to identify physical modifications of the jetty or dredging hardware which would reduce the amount of sand intrusion and / or reduce the cost of dredging operations. The study concluded that there was no cost effective means to significantly improve on the current "Seabright" dredge system, or to reduce the 200,000 cubic yards of material entering the harbor. This was disappointing to the Port District because the cost of dredging, $577,000+ per year, is quite burdensome to the Port District's small financial resources.

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[1] Except pages 32, and 33, of 1985 H.D. 357.

Armed with knowledge that the current system is operationally effective, and that it is the only foreseeable solution, the Port District proposes that the Cooperative Agreement be made more equitable and then extended to 2024.

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U.S. ARMY CORPS OF ENGINEERS AND SANTA CRUZ PORT DISTRICT MEMORANDUM OF AGREEMENT ON DREDGING

Benefits of Proposed Changes to M.O.A. Terms

- Continues to 2024, a system which has created a safe, all year-round, all-weather, regional harbor.

- The Port District extends its agreement to dredge and maintain entrance depth to the year 2024. This includes all O&M, repair, and replacement costs.

- Continues a program which has proven to be a model of what federal / local partnering can accomplish.

- The additional cost to the federal government of $1.8 million, combined with the original $389,000 contribution represents only 7.1% of the full cost of dredging the entrance to the year 2024. Santa Cruz Port District will pay 92.9%.

Total federal	*$ 2.2 million*	*7.1%*
Total Santa Cruz Port District	*$ 28.8 million*[1]	*92.9%*
Total:	*$ 31.0 million*	

- Prior to the 1986, M.O.A. the federal government spent $1 million per year in contracts to dredge Santa Cruz Harbor. If continued, the 1986 - 2024, time period would have cost the federal government approximately $70 million.

Proposed total federal participation to 2024	***$ 2.2 million***
Projected federal costs if entrance dredged by contractor	***$ 70.0 million***
Savings to federal government to the year 2024	***$ 67.8 million***

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[1] 1986 - 1996 figures are actual O&M costs. 3% inflation factor used for 1996, and beyond. Repair and replacement of equipment included in all O&M costs.

MEMORANDUM OF AGREEMENT
U.S. Army Corps of Engineers and Santa Cruz Port District on Dredging Operations and Maintenance for Santa Cruz Federal Entrance Project

Comparison of Current (1986) and Proposed M.O.A.

	1986 CURRENT M.O.A. TERMS	PROPOSED M.O.A. TERMS
1958 Legislation -- Federal Contribution to Dredging O&M	$35,000/yr	N/A
1958 Anticipated Cost of Dredging	$35,000/yr	N/A
1958 Anticipated Volume of Sand	25,000/cy	N/A
1958 Anticipated Federal Share	100%	N/A
Actual Dredging Volume	200,000/cy	200,000/cy
Present value of $35,000/yr 1986 - 2014 as per 1986 agreement. No inflation factor.	$389,662	$389,662
Proposed additional federal contribution, if inflation factor added and M.O.A. extended to 2024.	N/A	$1,825,514
Total federal O&M share with inflation factor added	N/A	$2,214,176
Total anticipated cost of dredging:		
-1986 - 2014*	$19,057,149	
-1986 - 2024*		$31,105,619
Total federal contribution to O&M	$389,662	$2,214,176
Total federal share (percentage of O&M 1986 - 2014)	2.10%	N/A
Total federal share (percentage of O&M 1986 - 2024)	N/A	7.10%

*1986 - 1996 figures are actual O&M costs. 3% inflation factor used for 1996, and beyond. Repair and replacement of equipment included in all O&M costs.

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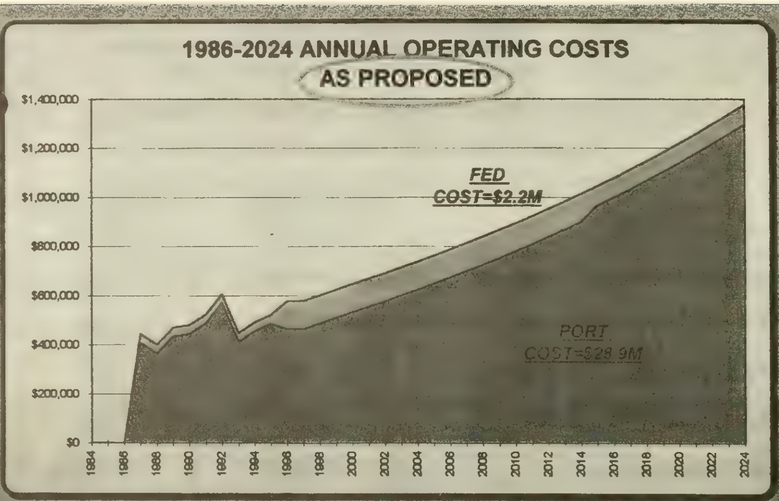
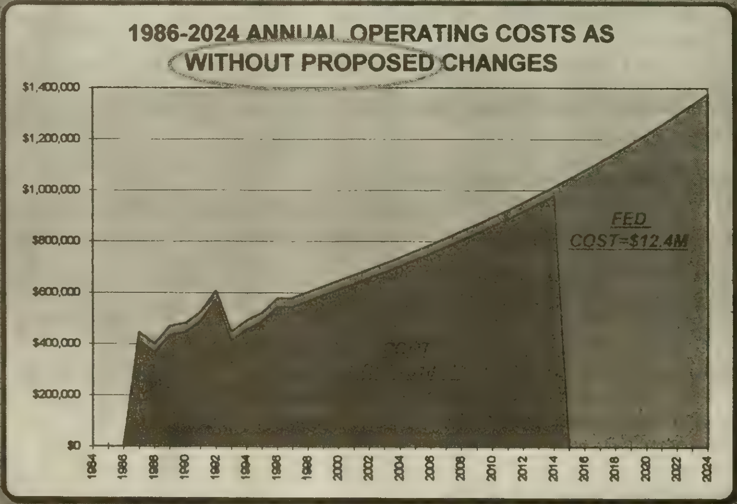


1986-2024 ANNUAL OPERATING COSTS AS PROPOSED



1986-2024 ANNUAL OPERATING COSTS AS WITHOUT PROPOSED CHANGES

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WEDNESDAY, MARCH 6, 1996.

PORT OF OAKLAND

WITNESS

RALPH GIN, CHIEF OF PLANNING

Mr. LUNDIN. Next we have the chief of planning for the Port of Oakland, Ralph Gin.

Mr. GIN. Good afternoon, Representative Myers and members of the committee. I appreciate the opportunity of submitting written testimony on behalf of the Port of Oakland in support of appropriations that are under consideration by the House Subcommittee on Energy and Water Development.

The estimated funding which we believe is necessary to maintain ongoing programs includes $8.3 million for the deepening of the Oakland outer and inner harbor channels and $2.6 for annual operations and maintenance. We request your support of this recommendation, plus $100,000 for the development of the final management plan for the Long-Term Management Strategy, the LTMS.

We believe that with past actions that have been taken by you and the House subcommittee with respect to ongoing appropriations, these appropriations have now brought us to the point where the dredging contract has been awarded and construction is well on its way. The project is on schedule, and we expect completion by November of 1996.

Funds for the previously appropriated Sonoma Baylands project had been used to prepare that site to receive Port of Oakland dredge material for wetland restoration. The combined project served as an excellent example of beneficial use of dredge materials. The Port of Oakland thanks you.

I would ask that this written material be incorporated as part of the hearing record.

Thank you for your consideration.

Mr. RIGGS. Thank you, sir.

[The statement of Mr. Gin follows:]

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PORT OF OAKLAND

CHARLES W. FOSTER
Executive Director

March 6, 1996

Representative John T. Myers, Chairman
& Members of the House Subcommittee
on Energy & Water Development

Dear Representative Myers & Members of the Committee:

I appreciate the opportunity of submitting written testimony on behalf of the Port of Oakland in support of appropriations that are under consideration by the House Subcommittee on Energy & Water Development. The estimated funding which we believe is necessary to maintain the ongoing programs includes $8.3 million for the deepening of the Oakland Inner and Outer Harbor channels, and $2.6 million for annual operations and maintenance. We request your support of this recommendation, plus $100,000 for the development of the final management plan for the Long Term Management Strategy (LTMS).

We appreciate past actions that have been taken by you and the House Subcommittee with respect to ongoing appropriations. These appropriations have now brought us to the point where the dredging contract has been awarded and construction is well under way. The project is on schedule and final completion is expected in November 1996.

Funds for the previously appropriated Sonoma Baylands project have been used to prepare that site to receive Port of Oakland dredged materials for wetland restoration. The combined projects serve as an excellent example of beneficial use of dredged materials.

I would ask that this written material be incorporated as a part of the hearing record. Thank you for your consideration.

Sincerely,

Charles W. Foster
Executive Director

530 Water Street ▪ Jack London's Waterfront ▪ P.O. Box 2064 ▪ Oakland, California 94604-2064
Telephone (510) 272-1100 ▪ Fax (510) 272-1172 ▪ TDD (510) 763-5703 ▪ Cable address, PORTOFOAK, Oakland

TESTIMONY BY THE PORT OF OAKLAND

BEFORE THE HOUSE SUBCOMMITTEE
ON ENERGY & WATER DEVELOPMENT

MARCH 6, 1996
WASHINGTON, D.C.

By Charles W. Foster, Executive Director

Chairman Myers, & Members of
the House Committee

I want to thank you for the opportunity of submitting written testimony in support of appropriations that are under consideration by the House Subcommittee on Energy & Water Development. These appropriations, to be recommended in the President's budget, and necessary to maintain the ongoing projects, will provide an estimated $8.3 million for continuing construction of the -42' Oakland Harbor Channels, and an estimated $2.6 million for annual operation and maintenance related to the Oakland harbor.

We particularly appreciate past actions that have been taken by you and the House committee with respect to ongoing appropriations that have now brought us to the point where actual construction of the -42' Oakland Channel deepening commenced in mid-1995 with expected completion by November 1996.

The Oakland Harbor Channel Improvement is a federally authorized project undertaken by the U.S. Army Corps of Engineers. The project was authorized for construction by the Water Resources Development Act of 1986.

The project will deepen the channels to a project depth of -42 feet, mean lower low water (MLLW), and provide additional navigational improvements. Approximately 5.6 million cubic yards of material must be dredged to provide the necessary channel improvements.

The Corps estimates the annual benefits for Project Year 1 (1997) are approximately $40 million. Average Annual Benefits (1997-2047) are approximately $144.5 million. Benefits of the project are derived from:

A. The use of larger vessels with lower operation cost and lower fuel consumption per ton of cargo carried.

B. Elimination or reduction of tidal delays.

C. Improvement in navigation vessel safety and reduction in possibility of collisions or groundings.

As the local cooperating agency for the channel improvements, the Port of Oakland is fully committed to meet its financial obligations as required under the Water Resources Development Act of 1986, with the balance of the project cost to be funded from federal appropriations.

Through strong Administration and Congressional support, with close collaboration with environmental groups, organized labor, and the local community, a three part dredge disposal plan was developed:

- Ocean disposal 55 miles offshore
- 300 acre Wetland Restoration Project using suitable dredged material
- Innovative upland disposal plan on Port property

The Port of Oakland appreciates your past support for the Sonoma Baylands wetland restoration. It allowed us to participate in an innovative partnership approach to dredge material disposal. Ultimately, the project will provide significant public benefits through the creation of new wetlands from the use of dredged materials.

Your continuing support of the San Francisco Bay Long Term Management Strategy (LTMS) has resulted in a regional approach to developing solutions for long term dredge disposal needs. The last step is to develop a final environmental impact statement (EIS) and management plan. I respectfully request your support of an estimated appropriation of $100,000 for the development of these plans. We thank you and the Committee for its support of past appropriations.

The appropriations under consideration today will permit the Corps of Engineers to continue the construction of this project, plus necessary maintenance. The current construction schedule calls for the Oakland Channel Deepening Project to be completed in November 1996.

As I stated earlier, we appreciate the cooperation and support of this committee and join with the California Marine Affairs and Navigation Conference (C-MANC) to urge your approval of the appropriations request.

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Mr. FAZIO. Frank, if I could just ask, is there any other upland site the Port of Oakland has in mind for dredge spoil distribution?

Mr. GIN. No, but we have developed some smaller intermediate toting sites that we didn't transport up to landfills.

Mr. FAZIO. Is most of your spoil going out to the ocean?

Mr. GIN. About half, and about 1.7 million to Sonoma Baylands, and 1 million to our golf course.

Mr. FAZIO. We want to work with you and perhaps find some other upland sites that might help expedite your project.

Mr. GIN. If I may say, that is why I was referring to the LTMS that supports the upland study.

Mr. FAZIO. Right.

Mr. RIGGS. Very good. Thank you.

WEDNESDAY, MARCH 6, 1996.

CONTRA COSTA COUNTY WATER AGENCY

WITNESS

ROBERTA GOULART, EXECUTIVE OFFICER, COUNTY WATER AGENCY

Mr. LUNDIN. Our next sponsor is Roberta Goulart, executive director of the Contra Costa County Water Agency.

Ms. GOULART. Thank you, and good afternoon. I am so pleased to be here again this year.

Contra Costa County is the local sponsor for the third and final phase of the San Francisco-to-Stockton ship channeling project, otherwise known as the Baldwin Ship Channel. We expect to begin construction in 1998.

We are requesting $600,000, as included in the CMANC fiscal year 1997 appropriation request. This will allow for completion of environmental documentation, some related studies, and the requisite final Corps reports.

Deepening of the Baldwin channeling section will improve tanker safety and improve shipping efficiency. Currently, vessels navigating the Baldwin channel do so by awaiting favorable tides, arriving partially loaded, or by offloading crude and/or petroleum projects in deeper areas of the bay before proceeding up the channel.

The San Francisco-to-Stockton, or Baldwin, project, will have clear and significant safety and economic benefits to the region. In Contra Costa County we respectfully request continued funding. We are so close to completion.

In addition, Contra Costa County supports the San Francisco Bar Channel and the Southampton Channel Shoal Channel Deepening. This is a reconnaissance study we are hoping will be included in the President's fiscal year 1997 budget. We are truly hoping to initiate planning for those two deepening projects as they will also have important safety considerations.

Thank you so much for your consideration of our request.

Mr. RIGGS. Thank you very much for your testimony.

[The statement of Ms. Goulart follows:]

Before:
U. S. HOUSE OF REPRESENTATIVES
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER
HONORABLE JOHN MYERS, CHAIRMAN
MARCH 6, 1996

Testimony on:

FY 1997 CIVIL WORKS APPROPRIATIONS SAN FRANCISCO-TO-STOCKTON (JOHN F. BALDWIN) SHIP CHANNEL PROJECT, PHASE III

Presented by:
ROBERTA GOULART
EXECUTIVE OFFICER, COUNTY WATER AGENCY
for the
CONTRA COSTA COUNTY BOARD OF SUPERVISORS

March 6, 1996
In Washington D.C.

Mr. Chairman and Members of this distinguished Subcommittee:

Contra Costa County is pleased to support deepening of the third and final phase of the San Francisco-to-Stockton Ship Channel Project, otherwise known as the John. F. Baldwin Ship Channel. Deepening of this channel segment will provide greater shipping efficiency, improve tanker safety considerations and will make shipping more economical for the many industries which utilize this waterway. This project extends from San Francisco Bay, into the Sacramento-San Joaquin Delta Area.

Currently, many existing vessels which navigate this waterway do so by awaiting favorable tides, arriving only partially loaded, or by off-loading (lightering) crude oil and/or petroleum products in deeper areas of the bay.

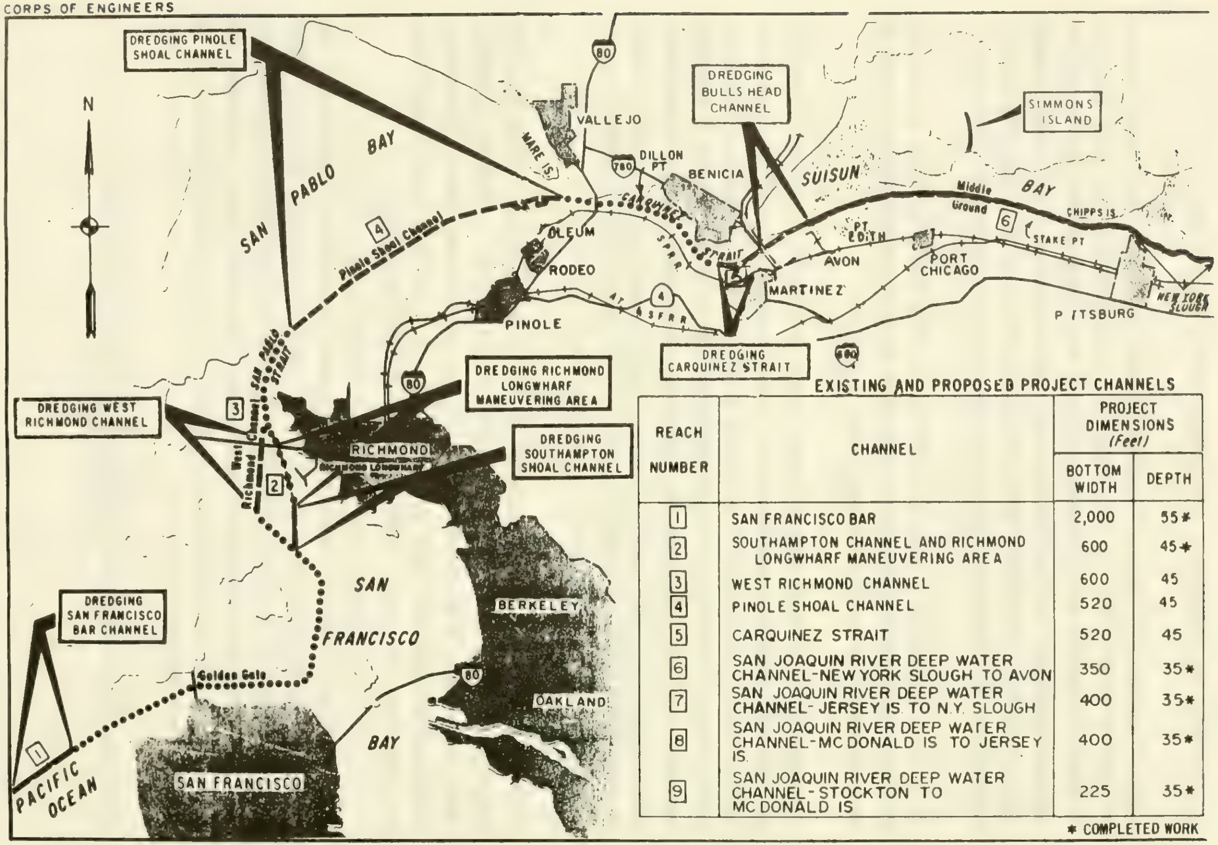
Channel deepening of this section enables major oil company refineries to continue economically feasible operations within Contra Costa County. Oil companies are looking toward completion of this project as they commit hundreds of millions of dollars toward modification of manufacturing facilities as part of federal and state mandated clean fuel requirements. In addition, channel deepening will allow more efficient transport by full loading of existing (and perhaps larger) vessels, resulting in some reduction in air quality impacts, as well as the above-mentioned safety considerations.

Contra Costa County, as local sponsor for the project, believes that the $600,000 contained in the California Marine Affairs and Navigation Conference (CMANC) recommendations is adequate for Army Corps of Engineers accomplishment of scheduled tasks for this fiscal year. Our request at this time is for funding to be included in the President's Fiscal Year 1997 Budget at this level.

It is becoming increasingly important to work toward completion of this project in the short-term. Continued delay could further cripple a struggling economy which otherwise would be aided by this project. Some of the issues encountered by the Port of Oakland are fundamental components of this project as well, illustrating the importance of working through environmental considerations to expedite dredging activities in San Francisco Bay.

Thank you for your time and your continued support of this project.

CORPS OF ENGINEERS



EXISTING AND PROPOSED PROJECT CHANNELS

REACH NUMBER	CHANNEL	PROJECT DIMENSIONS (Feet)	
		BOTTOM WIDTH	DEPTH
1	SAN FRANCISCO BAR	2,000	55*
2	SOUTHAMPTON CHANNEL AND RICHMOND LONGWHARF MANEUVERING AREA	600	45*
3	WEST RICHMOND CHANNEL	600	45
4	PINOLE SHOAL CHANNEL	520	45
5	CARQUINEZ STRAIT	520	45
6	SAN JOAQUIN RIVER DEEP WATER CHANNEL-NEW YORK SLOUGH TO AVON	350	35*
7	SAN JOAQUIN RIVER DEEP WATER CHANNEL-JERSEY IS. TO N.Y. SLOUGH	400	35*
8	SAN JOAQUIN RIVER DEEP WATER CHANNEL-MC DONALD IS. TO JERSEY IS.	400	35*
9	SAN JOAQUIN RIVER DEEP WATER CHANNEL-STOCKTON TO MC DONALD IS	225	35*

* COMPLETED WORK

WEDNESDAY, MARCH 6, 1996.

BAY PLANNING COALITION

WITNESS

ELLEN JOHNCK, EXECUTIVE DIRECTOR

Mr. LUNDIN. Next we have Ellen Johnck, executive director of the Bay Planning Coalition.

Ms. JOHNCK. Chairman Myers, Congressman Riggs; hi, Vic, how are you?

Mr. FAZIO. Hi.

Ms. JOHNCK. Thank you for your continuing enthusiasm for our San Francisco Bay projects. We are here to support the entire CMANC list for port and harbor projects in the State.

In addition, since bay planning represents mostly geographically the ports, refineries, and local governments in San Francisco Bay, I wanted to talk about two projects on the CMANC list in particular.

One is, you heard reference by Roberta to the reconnaissance study for the San Francisco Bar and the South Hamilton Shoal Channel. These were kind of mysteriously left out of the budget last year. They are very important, supporting deep-draft navigation access to the entire bay and particularly Richmond Harbor and the Chevron Longwharf, and we have recent information that indicates that we need some changes in the channel due to changes in tanker design. So that is why the reconnaissance study is important for both those channels.

The other item is the LTMS. You have heard two references to the LTMS dam by Congresswoman Pelosi, who was definitely a great champion for the project, as well as Ralph Gin from the Port of Oakland. It is a model for the Nation for dredge material management.

However, we have one special request, that we would like an additional line item to be added to your budget to resolve a problem, a major problem, with the LTMS at the moment, which if it remains unresolved, will, we think doom the LTMS to failure. That is the whole problem of sediment contaminant testing.

Regulatory agencies decide where dredge material should be disposed based on a sweep of chemical and biological and physical laboratory evaluations. These are done in an aquarium. Applicants can spend thousands of dollars, the Corps spends millions, on testing. We recently heard one of our port members asked for an estimate of what it would cost to sample and test dredge sediment from four bursts. The estimate was $500,000. This was more than the cost to actually carry out the dredging itself.

Applicants are very concerned about this. This is very frustrating. Major economic decisions are made regarding placement, yet to date there is no uniform, consistent, or practical interpretive guidance on what these numbers mean, what the scientific data means, and how to apply it to disposal decisions.

So what we are asking for is an appropriation of $2 million to go to the waterways experiment station dredging environmental research program, which will give us an interpretive guidance telling us what the numbers mean and determining their environmental relevancy. We urge you to seriously consider this request.

Thank you.

Mr. RIGGS. Maybe we should just change the regulations on the Corrections Day calendar.

Mr. MYERS. Do you think you can do that?

[The statement of Ms. Johnck follows:]

BEFORE

UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER
HONORABLE JOHN MYERS, CHAIRMAN

TESTIMONY ON
F.Y. 1997 ENERGY AND WATER APPROPRIATIONS
SAN FRANCISCO BAY, CALIFORNIA

PRESENTED BY
BAY PLANNING COALITION, SAN FRANCISCO, CALIFORNIA
ELLEN JOHNCK, EXECUTIVE DIRECTOR
MARCH 6, 1996

Founded in 1983, the Bay Planning Coalition is a membership-based, non profit corporation representing the broad spectrum of S. F. Bay maritime and related shoreline business and industry, public and private port authorities, oil refineries, recreational marinas, and local governments. We advocate the reasoned and balanced regulation of the use of water and land in the S. F. Bay region and thus ensure the successful implementation of water resource development projects.

We urge your favorable vote for funding the complete list of port and harbor projects recommended by C-MANC. We want to draw your attention to two specific S. F. Bay items on the project list.

1. We strongly support the proposed navigation studies for the San Francisco Bar and Southampton Shoal Channels. The Southampton channel in particular provides deep draft navigation access to Richmond Harbor and the Chevron Longwharf. In 1992, 21 million tons of commercial cargo passed through this channel with both foreign and domestic shipping vessels. Recent information indicates the channel may need modifications to efficiently and safely accommodate newer commercial tanker ship designs, and thus the reconnaissance study is necessary to ensure that a safe navigable approach for these vessels is maintained.

2. The project, known as the LTMS (Long Term Management Strategy for Dredged Material Disposal) is nearing completion. The LTMS is a cooperative state-federal planning process for the designation of disposal sites --in ocean, in-Bay and upland-- that are environmentally acceptable and economically feasible.

Our LTMS has become a model for the nation. However, the $16 million program is doomed to fail unless one critical aspect of the program is resolved and completed. The entire disposal site decision making process is driven by a regulatory requirement known as sediment contaminant testing. The federal regulatory agencies decide where the dredged material should be disposed based on an evaluation of the results of laboratory tests of the sediment using a suite of chemical, physical and biological analyses. Major economic decisions are made regarding placement of dredged material yet there is no uniform, consistent and practical guidance on how to interpret the scientific data for the purpose of making decisions. Industry spends thousands of dollars on testing and then dredging projects are frequently stalled because of the lack of practical guidance on what the numbers mean and their environmental relevancy.

Since implementation of the Clean Water Act amendments in 1977, the science of testing and evaluating dredged material has advanced faster than our ability to interpret the data into decision making on navigation projects.

Regulatory agencies were content with measuring substances in the parts per million range in the 70's and the parts per billion in the 80's. Today we are able to measure substances in the parts per trillion and even quadrillion range.

For the past two years, the Corps of Engineers has proposed to the Congress in the President's budget, a new program entitled, Dredging Operations and Environmental Research, DOER for short. A major purpose of this program is to develop interpretative guidance for use in dredged sediment decision making. It has not been funded to date. We strongly encourage the subcommittee to support the Dredging Operations Research program by adding a line item to your budget for $2 million to complete and implement a revised sediment testing protocol and uniform interpretative guidelines.

We believe without this type of research incorporated into the LTMS program, the LTMS will be largely ineffective.

Thank you for your serious consideration of our requests.

WEDNESDAY, MARCH 6, 1996.

PORT OF STOCKTON

WITNESS

ALEXANDER KRYGSMAN, PORT DIRECTOR

Mr. LUNDIN. Mr. Chairman, we let him in. He was out in the hallway. As you all know, this is former chairman of CMANC Alex Krygsman, and I believe you still work as a port director at the Port of Stockton. Is that correct?

Mr. MYERS. You have something we can send to Hunter? He always likes to see your brochure. I talked to him last night, told him you would be here, and I would pick up the brochure.

Mr. KRYGSMAN. He would.

Mr. FAZIO. He told me to tell you he could have dinner with you even if we can't.

Mr. KRYGSMAN. I am Alex Krygsman, port director at the Port of Stockton.

This is the nineteenth year that I am testifying before you, and since that may well be one of the longest continuous members of this group that have been testifying before you, Mr. Myers, and also Vic Fazio, who has been on this committee, I believe, 18 years.

Mr. FAZIO. Still a junior member.

Mr. MYERS. Working his way up.

Mr. KRYGSMAN. And of course Mr. Tom Bevill, who was here, I believe, 20 years. So I am coming close to you.

Mr. MYERS. Longer than that—26.

Mr. KRYGSMAN. Well, I would like to certainly be on record thanking you for all the fun we have had as well as the opportunity you have given me to testify on behalf of the Port of Stockton.

Mr. MYERS. Thank you.

Mr. KRYGSMAN. And I am wishing both of you all the best in the future.

I have brought with me, as usual—I have done this for 18 and now 19 years—a colorful publication of the Port of Stockton so that you don't forget where we are and so that you will support our request for funding.

I also brought with me this year Mr. Ed Coy, who is vice chairman of our commission. He is over there. You will see his picture in this publication also.

Mr. MYERS. Is yours in it by chance?

Mr. KRYGSMAN. I believe so.

Mr. MYERS. That is what Hunter will be interested in.

Mr. KRYGSMAN. I know he wants to know how many.

Mr. MYERS. He will let you know.

Mr. KRYGSMAN. By the way, I am on page number 47.

Mr. FAZIO. I thought that was Ed Coy.

Mr. KRYGSMAN. And Mr. Ron Coale, who is commissioner, and his picture is of course also in the publication. And you can find that on page number 6, by the way.

I have presented my written testimony, so I will put that in the record. But I do want to point out to you that our request for a potential new navigation study for $650,000 is not just a separate study. Although that is a separate project, it is very much tied in with the Baldwin channel that Roberta Goulart already testified to you about, and that is of course the part of the San Francisco-to-Stockton authorization.

Just to show you, in the early 1970s the entrance channel to San Francisco was deepened under that authorization that was part of our project, and we finished the deepening to Stockton in 1987. We need to go on with this Baldwin channel, it is still part of our authorization, and that will give you a good idea how long this takes.

So it is important that we start with the study on our next request to go possibly 40 feet. But this needs to be coordinated with the Baldwin channel, and it also needs to be coordinated with the other two studies for San Francisco Bay because they all have a bearing on each other.

So if we don't have to study at the same time that those studies go on, then it cannot be considered, and we may have to reinvent the wheel two or three years from now. So I would ask your consideration of that.

Thank you very much.

Mr. MYERS. Nice to see you.

[The statement of Mr. Krygsman follows:]

Port of Stockton
General Offices: P.O. Box 2089, Stockton, CA 95201-2089
(209) 946-0246 / FAX (209) 465-7244 or (209) 466-5986

CONGRESS OF THE UNITED STATES

UNITED STATES HOUSE OF REPRESENTATIVES

COMMITTEE ON APPROPRIATIONS

SUB-COMMITTEE ON ENERGY AND WATER DEVELOPMENT

STATEMENT BEFORE THE ENERGY AND WATER DEVELOPMENT APPROPRIATIONS SUB-COMMITTEE OF THE UNITED STATES HOUSE OF REPRESENTATIVES APPROPRIATIONS COMMITTEE

BEFORE THE HONORABLE JOHN MYERS, CHAIRMAN AND MEMBERS OF THE COMMITTEE

Mr. Chairman:

I am Alexander Krygsman, Port Director of the **Port of Stockton** in Stockton, California.

The San Francisco Bay to Stockton Ship Channels Project is an authorized project, presently under construction.

The **Port of Stockton** is primarily a bulk port that serves industry and agriculture in the San Joaquin Valley in California, and the bulk imports and exports of the Western States, including the coal areas of these States.

The **Port of Stockton** recognized as far back as 1952 that deeper channels would be needed for the movements of bulk cargoes and requested the Corps of Engineers to deepen the channel in 1952. Coal, grain, fertilizers and many other bulk materials require deeper channels to serve the larger bulk carriers.

The Nation needs ports that can handle larger, more economical and more fuel-efficient vessels close to the production areas, both agricultural and industrial, to conserve energy.

The **Port of Stockton** is such a port.

The dredging of the Stockton Channel portion of the project was completed in 1987. A copy of the **Port of Stockton**'s most recent annual report is attached. Cargo volume has increased since the dredging of the Stockton Channel was completed; and the project is certainly paying off.

Therefore, we have requested the Corps of Engineers for a potential new navigation study to deepen the Channel further to forty (40) feet or more, if economically feasible.

For the **1997 fiscal year**, we are requesting six hundred fifty thousand dollars ($650,000) for this study. Because this study has to be coordinated for proper timing with the continuing construction of the John F. Baldwin Channel, and with the progress of the Baldwin Channel project, now is the time to do this study

This is not just a new study. This study, and the eventual construction, is closely tied to the John F. Baldwin Channel construction, and this project needs to be timed appropriately with the John F. Baldwin Channel construction. Deferring six hundred fifty thousand dollars ($650,000) now could cost millions in extra cost later.

We urge you to appropriate six hundred fifty thousand dollars ($650,000) for the Stockton Deep Water Channel Recon Report. We also strongly urge that two million dollars ($2,000,000) be appropriated to maintain the channels so that the benefits may continue to accrue.

Respectfully yours,

Alexander Krygsman
Director, Port of Stockton
Stockton, California

AK/yri

Attachment

[illegible]
03/96 Water Hearings

WEDNESDAY, MARCH 6, 1996.

CITY OF PETALUMA

WITNESS

BARBARA LIND, JERICO PRODUCTS, INC.

Mr. LUNDIN. We have a new member of CMANC, and she is the next presenter. She is owner of a small business called Jerico Products, and she also represents the City of Petaluma, Barbara Lind.

Ms. LIND. Hi. Thank you for having us here.

My name is Barbara Lind. I am from Petaluma. I would like to introduce two people that joined us here: First of all, my husband of 27 years, also my business partner; he is a man of extraordinary patience and integrity: Mike Lind; and Brian Sobel, a former vice mayor and councilperson from the City of Petaluma.

Mr. RIGGS. I will note for the record, Brian is a very good friend of mine, someone I very much respect.

Ms. LIND. Ours too.

Petaluma is a community of 48,000 people located 39 miles north of the Golden Gate Bridge. My husband and I own and operate Jerico Products, Inc., a business which accounts for over 350,000 commercial tons of shipping each year on a river that depends on the dredging program authorized by the Congress of the United States with funds appropriated to the United States Army Corps of Engineers, who carry out that task in 4-year cycles.

The tonnage that we move is primarily tied to ag and construction interests. We have come to testify today because we are very concerned about the future of the dredging program along the Petaluma River, one of only five navigable rivers running through cities in California.

The Petaluma River has been a vital element to the economy of Petaluma, and Sonoma County, for well over a century-and-a-half. In the last 10 years alone, over 4 million tons of commercial goods have been transported on that river.

I cut out lots of my speech here to be short today.

Mr. MYERS. Thank you.

Ms. LIND. The Petaluma River is an extremely important element in the transportation network serving the North Bay area, a region with a population of several hundred thousand. For the movement of commercial goods, the North Bay is currently served only by Highway 101. This highway has just two lanes in either direction in the critical link between Petaluma and Novato, a city 10 miles south.

The Petaluma River remains a vital piece of the transportation network. Without the river remaining navigable for commercial uses, a tremendous further burden would be shifted to an already congested highway, which currently requires significant infrastructure improvement, including the addition of lanes and the upgrade of several on and off ramps north of Petaluma.

Mr. Chairman and members of the committee, our company, Jerico Products, depends on the Petaluma River dredging for our very survival. Our future rests on our ability to deliver our goods to markets on the West Coast, to places around the Nation, and indeed to the Pacific Rim.

We urge any and all efforts be expended to assist local communities in the North Bay area, which depend on the Petaluma River, by continuing funding for the dredging of the Petaluma River from the traditional starting point in San Pablo Bay to the turning basin of Petaluma, to include a 7-mile stretch in the Petaluma area.

On behalf of Petaluma residents and its city council, which asked me to personally deliver a resolution attached to this statement, I thank you for your support over the last years. You have been very good to the City of Petaluma.

[The statement of Ms. Lind follows:]

Statement of Barbara Lind, Petaluma California
to the
Appropriations Subcommittee on Energy and Water Development,
United States House of Representatives
Wednesday, March 6, 1996

Mr. Chairman and Members of the Committee on Energy and Water Development:

My name is Barbara Lind of Petaluma, California, a community of 48,000 people, located 39 miles north of the Golden Gate Bridge. We own and operate Jerico Products, Inc., a business which accounts for over 350,000 commercial tons of shipping each year on a river that depends on the dredging program authorized by the Congress of the United States, with funds appropriated to the Unites States Army Corps of Engineers, who carry out the task in four-year cycles.

We come to testify today because we are concerned with the future of the dredging program along the Petaluma River, one of only five navigable rivers running through cities in California. The Petaluma River has been a vital element in the economy of Petaluma, and Sonoma County, California, for well over a century and a half. In the last 10 years alone, over 4 million tons of commercial goods have been transported on the river.

The Petaluma River is not only important because of its traditional role in the commercial movement of goods, including agricultural and construction related products, but also because the citizens of Petaluma and surrounding communities in large numbers use the river for recreational purposes, including boating and fishing.

The importance of a continuing maintenance and dredging program for the

Petaluma River is also critically important for other reasons as well. The area of Petaluma, is located in a valley between hills which during the winter months, at times, produce significant runoff. A combination of winter storms and high tides, on at least two occasions in the last 15 years has produced 500-year flood experiences, which greatly impacted susceptible areas of the community, including a mobile home park housing many senior citizens. We believe had it not been for constant maintenance and dredging of the river, we may well have experienced an even greater loss of property and associated damage. We in Petaluma know full well the importance of the Congressional commitment to helping us avoid flooding through a vigilant dredging program.

In addition to flood control, the benefits of regularly scheduled dredging includes a remarkable program initiated by a local high school which has restored a salmon run that has graced the area for hundreds of years. Casa Grande High School, featured nationally on ESPN and other networks, mainly through private donations, built a hatchery and began cleaning the creeks running to the Petaluma River. They were then successful in hatching salmon and releasing the fish to restore the traditional breeding locations and save the salmon for future generations. This would not have been possible without a river that flows without obstruction.

On a recreational note, the Petaluma River also has a paddlewheel style boat which travels up and down the waterway with trips scheduled each day. Additionally, the Petaluma area boasts a marina and a downtown turning basin which hosts hundreds of boats each year that come to the community to visit, and in turn, spend much needed tax dollars in the community. The six-year old marina, a public/private partnership, is now starting to make an positive economic impact on the community as more boat owners sign leases to berth their boats in Petaluma.

Two other important points I believe should also be made today concerning the Petaluma River. First, the citizens have recently completed the Petaluma River Plan, a unique document co-authored by a committee of interested citizens, environmentalists, river oriented business owners, the City of Petaluma, and others. The plan is comprehensive and remarkable in that it provides for the enhancement and future uses of the river, including solving long-standing questions regarding land use zoning, the economic viability of the river, and most importantly, protection of this precious resource for our children and grandchildren.

The other point, and as vital as any other I've made today, is the importance of the Petaluma River in the transportation network serving the North Bay Area ,a region with a population of several hundred thousand. For the movement of commercial goods the North Bay is currently served only by Highway 101. This highway has just two lanes in either direction in the critical link between Petaluma and Novato, a city 10 miles south. Additionally, there is a rail line which is used by the California Northern railroad entity to move some commercial products from counties to the north of Sonoma through the Petaluma area heading to points south and east. The Petaluma River therefore, remains a vital piece of the transportation network. Without the river remaining navigable for commercial uses, a tremendous further burden would be shifted to an already congested highway, which currently requires significant infrastructure improvement, including the addition of lanes and the upgrade of several on and off- ramps north of Petaluma.

Lind Statment—page 4 of 4

Mr. Chairman and members of the committee, my company, Jerico Products, depends on the Petaluma River for our very survival. Our future literally rests on our ability to deliver our goods to markets on the west coast, to places around the nation, and indeed to Pacific Rim countries. We are not unusual in this regard. We calculate that river businesses in Petaluma alone account for several hundred jobs. We know that we also help support hundreds more as goods arrive to be distributed to the community and county. Many jobs in other locations are also supported by the products shipped from our area, via the river.

Today, by way of this testimony, we urge that any and all efforts be expended to assist local communities in the North Bay Area, which depend on the Petaluma River, by continuing funding for the dredging of the river from the traditional starting point in San Pablo Bay to the turning basin of Petaluma, to include a 7-mile stretch in the Petaluma area.

On behalf of Petaluma residents and its city council, which asked me to personally deliver a resolution, attached to this statement for the record, we thank you for your support over the past years and ask for your continuing assistance in maintaining funding for dredging of the Petaluma River.

Thank you also for the opportunity to address you today concerning this most important issue for our region.

Resolution No. 96-60 N.C.S.
of the City of Petaluma, California

THE WITHIN INSTRUMENT IS A
TRUE COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE

FEB 21 1996

ATTEST
CITY CLERK
Paulette Lyon
PAULETTE LYON DEP. CLERK

RESOLUTION OF SUPPORT FOR PROACTIVE EFFORTS TO MAINTAIN AND ENHANCE THE PETALUMA RIVER

WHEREAS, the Petaluma River is one of only five navigable rivers running through cities in California; and

WHEREAS, the Petaluma River for over a century has been a vital element in the economic and recreational base of Petaluma, and remains so today; and

WHEREAS, the Petaluma River requires periodic dredging and general maintenance to maintain its necessary role in supporting businesses that use the river on a daily basis, and a community which receives economic and recreational benefits as a result; and

WHEREAS, an extensive River Plan has been developed by a committee of Petaluma citizens which envisions and plans for a sensitive, healthy and economically beneficial future for the river; and

WHEREAS, a concentrated and increased effort must be launched to fully inform all interested parties, private and governmental, as to the need for on-going funding to provide flood protection and maintain the navigability of the river; and

WHEREAS, to that end we endorse any and all efforts to maintain dredging cycles and the economic vitality of the river, and to proactively monitor and comment upon all legislation which may affect the Petaluma River.

NOW, THEREFORE, BE IT RESOLVED that the Petaluma City Council stands ready to work with interested citizens and elected representatives on this most important issue of maintaining the Petaluma River to benefit the commercial and recreational users thereof.

resolut/winword-mk/kc

Under the power and authority conferred upon this Council by the Charter of said City.

REFERENCE:

I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a (Regular) (~~Adjourned~~) (~~Special~~) meeting on the 20th day of February, 1996, by the following vote:

Approved as to form

City Attorney

AYES: HAMILTON, STOMPE, MAGUIRE, READ, SHEA, MAYOR HILLIGOSS

NOES: NONE

ABSENT: VICE MAYOR BARLAS

ATTEST: Paulette Lyon

City Clerk DEPUTY CITY CLERK

M. Patricia Hilligoss

Mayor

Council File

Res. No. 96-60 N.C.S.

CA 10-83

Mr. MYERS. What do you manufacturer Mrs. Lind?

Ms. LIND. I thought you might ask that. Actually, we dredge ancient oyster shells out of the bay, and we bring them up the Petaluma River there, and the primary market for that is chicken feed—has been since the twenties—and then also sand for construction.

Mr. MYERS. An oyster—as a kid, my sister and I bought chickens by the hundreds, and we lost them by the hundreds.

Ms. LIND. You needed more oyster shells.

Mr. MYERS. They never made it far enough to even—we put green stuff in the water and found out we lost several hundred little baby chicks until we found out what was causing it.

Ms. LIND. Probably lack of oyster shells.

Mr. RIGGS. Petaluma has been known as the chicken capital.

Mr. LUNDIN. Absolutely.

Mr. MYERS. I thought Arkansas was.

Mr. RIGGS. That is fresh frozen.

Ms. LIND. A very, very fine distinction to be made.

Mr. RIGGS. But also let me point out, the Petaluma River has really been experiencing a revival in recent years. It has been interesting to see the tourist traffic as well as the commerce being shipped on that river, and that river, with its waterfront properties in downtown, has become the heart and soul.

Mr. MYERS. They ought to keep dredging it out then, keep on dredging.

Mr. RIGGS. That is right. It is truly very important to the economic well-being and the quality of life to the city of Petaluma and southern Sonoma County.

Ms. LIND. Thank you very much.

Mr. RIGGS. Thank you for your testimony, Barbara.

WEDNESDAY, MARCH 6, 1996.

RICHMOND NAVIGATION PROJECT

WITNESS

LAWRENCE G. MALLON, SPECIAL COUNSEL

Mr. LUNDIN. We now have Larry Mallon, Federal Advocate for the Port of Richmond.

Mr. MALLON. Good afternoon, Mr. Chairman and members of the subcommittee.

I am here today on behalf of Mayor Rosemary Corbin and members of the City Council and Port Director Mike Powers, on behalf of the Richmond Navigation Project authorized in the Water Resources Development Act of 1986.

We express our sincere gratitude to the chairman, Mr. Bevill, Mr. Fazio, and Mr. Riggs, for over 10 years of continued construction funding.

Richmond is a new project navigation start. The contract will be let within the last month of this fiscal year. We expect most of the construction to occur during fiscal year 1997. It is a $33 million Federal project with a $9 million local share, 1.7 million cubic yards of material of which we expect 1.5 million cubic yards to be deposited at the EPA designated ocean disposal site, the remaining 200,000 yards to be disposed of at a port-provided upland site.

We are also back here testifying before the House Transportation Committee on the much needed legislation to cost share upland disposal sites in the future, and we are anticipating being beneficiaries of that.

As we speak, the local sponsor is completing final action on what we hope to be the first local assessment district in the country to pay a substantial part of its local share. They are ready to fulfill their obligations. We are asking for—I believe the CMANC recommends is $8 million.

When we calculate the numbers, we figure that the remaining first Federal cost is somewhere about $15.24 million. The city basically asks for a sum in an amount appropriated in fiscal year 1997 of at least $8 million and as much of the remaining $15 million to substantially complete construction in this year. It is basically a one-year and month's construction schedule, so most we expect to occur in fiscal year 1997.

Thank you, Mr. Chairman.

[The statement of Mr. Mallon follows:]

STATEMENT

OF

LAWRENCE G. MALLON, SPECIAL COUNSEL

ON BEHALF OF

THE CITY OF RICHMOND, CALIFORNIA

AT A HEARING ON

FISCAL YEAR 1997 ENERGY AND WATER APPROPRIATIONS

BEFORE

THE SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

COMMITTEE ON APPROPRIATIONS

U.S. HOUSE OF REPRESENTATIVES

WASHINGTON, D.C.

WEDNESDAY, MARCH 6, 1996

MR CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE,

THANK YOU FOR THE OPPORTUNITY TO APPEAR BEFORE YOU TODAY IN SUPPORT OF THE FISCAL YEAR 1997 ENERGY AND WATER APPROPRIATIONS MEASURE.

I AM LAWRENCE G. MALLON, SPECIAL COUNSEL TO THE PORT OF RICHMOND. I APPEAR AT THE REQUEST, AND ON BEHALF OF THE PORT DIRECTOR, MICHAEL R. POWERS, AND MAYOR ROSEMARY CORBIN AND THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF RICHMOND, AS THE LOCAL SPONSOR OF THE PROJECT FOR NAVIGATION, RICHMOND HARBOR, CALIFORNIA, AUTHORIZED UNDER THE WATER RESOURCES DEVELOPMENT ACT OF 1986 ("WRDA 1986")(PUBLIC LAW 99-662).

MY APPEARANCE IS NECESSITATED BY AN IMPORTANT HEARING AND VOTE IN SUPPORT OF THE NAVIGATION PROJECT PENDING BEFORE THE CITY COUNCIL AS WE SPEAK REQUIRING THE PRESENCE OF ALL COUNCIL MEMBERS AS THE CITY, INTENDED AS FURTHER EVIDENCE OF ITS GOOD FAITH AND CONTINUING PROJECT SUPPORT, PROCEEDS TO THE CONSIDERATION OF A RESOLUTION OF INTENTION CONCERNING THE FINANCIAL PARTICIPATION BY PRIVATE SECTOR BENEFICIARIES IN PROJECT FINANCING IN THE FIRST-OF-ITS-KIND RICHMOND HARBOR NAVIGATION IMPROVEMENT DISTRICT.

THE MAYOR AND CITY COUNCIL RECOGNIZE AND EXPRESSES THEIR PROFOUND GRATITUDE TO OUR LOCAL CONGRESSMAN, THE HONORABLE GEORGE MILLER, CONGRESSMAN BILL BAKER, AND TO YOU, MR. CHAIRMAN, AS WELL AS CONGRESSMEN RIGGS AND FAZIO AND THE OTHER MEMBERS OF THIS SUBCOMMITTEE AND STAFF FOR THEIR TANGIBLE SUPPORT IN DIFFICULT FISCAL TIMES IN FUNDING THIS NAVIGATION PROJECT OF CRITICAL IMPORTANCE TO THE FUTURE DEVELOPMENT OF THE CITY AND PORT OF RICHMOND.

THE CITY OF RICHMOND IS ESPECIALLY PLEASED THAT AFTER TEN LONG YEARS--AND THE EXPENDITURE TO DATE OF AN AMOUNT IN EXCESS OF EIGHT MILLION DOLLARS IN FEDERAL FUNDS, THE RICHMOND PROJECT IS A NEW CONSTRUCTION START IN FISCAL YEAR 1996. OUR REQUEST IS THEREFORE FOR SUFFICIENT FOLLOW-ON APPROPRIATIONS TO PERMIT

CONTINUING CONSTRUCTION AND SUBSTANTIAL PROJECT COMPLETION IN FISCAL YEAR 1997 REPRESENTED BY THE BALANCE OF THE FEDERAL SHARE OF PROJECT CONSTRUCTION COST OF SEVENTEEN MILLION DOLLARS.

AS WE SPEAK THE REPRESENTATIVES OF THE CITY AND DISTRICT ENGINEER HAVE COMMENCED NEGOTIATIONS EXPECTED TO CULMINATE IN THE EXECUTION OF THE PROJECT COOPERATION AGREEMENT FOR THE PROJECT IN LATE JUNE-EARLY JULY OF THIS YEAR. THE FINAL GENERAL DESIGN MEMORANDUM AND ENVIRONMENTAL IMPACT STATEMENT FOR THE PROJECT WILL SHORTLY BE TRANSMITTED BY THE SAN FRANCISCO DISTRICT TO THE SOUTH PACIFIC DIVISION, AND ON TO HEADQUARTERS, SETTING THE STAGE FOR COMMENCEMENT OF CONSTRUCTION BEFORE THE END OF THE CURRENT FISCAL YEAR.

THE NATIONAL ECONOMIC DEVELOPMENT (NED) PLAN FOR THE PROJECT INVOLVES THE CONSTRUCTION OF THE PROJECT FROM THE CURRENT 35 TO 38 FEET MLLW. THE PLAN CONTEMPLATES OCEAN DISPOSAL OF THE BULK OF THE 1.7 MILLION CUBIC YARDS OF PROJECT DREDGED MATERIAL AT AN EPA DESIGNATED OCEAN DISPOSAL SITE, AND CONSISTENT WITH THE LONG TERM MANAGEMENT STRATEGY (LTMS) FOR DREDGED MATERIAL MANAGEMENT FOR THE SAN FRANCISCO BAY AREA. THE BALANCE OF APPROXIMATELY TWO HUNDRED THOUSAND YARDS OF PROJECT AND BERTH MATERIAL UNSUITABLE FOR UNCONFINED AQUATIC DISPOSAL WILL BE TREATED AND ENCAPSULATED FOR BENEFICIAL REUSE AT A PORT PROVIDED SITE DEDICATED TO MARITIME USE.

SUBJECT TO ENACTMENT OF PENDING LEGISLATION PERMITTING COST-SHARING OF IMPROVED UPLAND DISPOSAL SITES AND BENEFICIAL REUSE OF DREDGED MATERIAL AND SUCCESSFUL NEGOTIATION OF A PROJECT COOPERATION AGREEMENT WITH THE FEDERAL GOVERNMENT, THE CITY COUNCIL, AS THE NON-FEDERAL PROJECT SPONSOR, IS PREPARED TO MEET ITS STATUTORY COST-SHARING REQUIREMENTS UNDER THE 1986 ACT.

IN SUBSTANTIAL FULFILLMENT OF ITS REQUIRED FINANCIAL CONTRIBUTION TO PROJECT CONSTRUCTION COST, IN MAY, 1989 THE CITY COUNCIL BY ORDINANCE NO. 21-89 CREATED A RICHMOND HARBOR NAVIGATION IMPROVEMENT DISTRICT. THIS IS INTENDED TO ENSURE TIMELY PAYMENT OF THE LOCAL SPONSOR'S SHARE OF PROJECT CONSTRUCTION COSTS THROUGH THE ANTICIPATED LEVY OF BENEFIT ASSESSMENTS ON THE MAJOR BENEFICIARIES OF THE NAVIGATION IMPROVEMENTS. THE RESOLUTION OF INTENTION NOW BEFORE THE CITY COUNCIL TO LEVY A BENEFIT ASSESSMENT FOR THIS PURPOSE THIS YEAR IS NECESSARY IN ORDER THAT BONDS MAY BE ISSUED AND ASSESSMENTS COLLECTED IN THE 1996-97 TAX YEAR FOR DEPOSIT IN THE ESCROW ACCOUNT IN ADVANCE OF PROJECT CONSTRUCTION AS REQUIRED.

IN SUMMARY, AS THE NON-FEDERAL SPONSOR AND PRINCIPLE PROJECT PROPONENT, WE REAFFIRM OUR SUPPORT AND ARE PREPARED TO MOVE FORWARD IN PARTNERSHIP WITH THE CORPS TO EXECUTE THE PROPOSED PROJECT SCHEDULED FOR COMPLETION OF CONSTRUCTION IN FISCAL YEAR 1997. WE HAVE MADE CONCRETE PROGRESS IN FULFILLMENT OF OUR PROJECT FINANCIAL RESPONSIBILITIES THROUGH THE CREATION OF

A NAVIGATION BENEFIT ASSESSMENT DISTRICT. WE ARE PREPARED TO EXECUTE A FINAL PCA TO SET THE STAGE FOR COMMEMCEMENT OF PROJECT CONSTRUCTION IN AUGUST-SEPTEMBER, 1996. WE HAVE IDENTIFIED AND ACQUIRED, AND WILL IN DUE COURSE LET THE NECESSARY CONTRACT FOR SITE IMPROVEMENTS OF THE UPLAND DISPOSAL SITE FOR DREDGED MATERIAL DISPOSAL FROM PROJECT CONSTRUCTION SUBJECT TO APPLICABLE COST-SHARING LEGISLATION.

WE ASK THE SUBCOMMITTEE'S HELP TO ASSURE THE AVAILABILITY OF THE ESTIMATED $15,274,000 IN FEDERAL FUNDS NECESSARY TO SUBSTANTIALLY COMPLETE PROJECT CONSTRUCTION IN THE FISCAL YEAR 1997 ENERGY AND WATER APPROPRIATIONS MEASURE BEFORE THE COMMITTEE FOLLOWING CONTRACT AWARD AND COMMENCEMENT OF PROJECT CONSTRUCTION IN FISCAL YEAR 1996.

THANK YOU

Mr. RIGGS. Thank you.

Does Chevron Corporation participate financially in the cost of dredging Richmond Harbor?

Mr. MALLON. They probably have eight or nine interests that are beneficiaries of our project. Because of the location, I believe they are one of the few that are not. They have their own channel entrance there.

Mr. RIGGS. OK. Thank you for your testimony.

WEDNESDAY, MARCH 6, 1996.

VENTURA HARBOR

WITNESS

RICHARD PARSONS, GENERAL MANAGER, VENTURA PORT DISTRICT

Mr. LUNDIN. Another former chairman of CMANC, Rich Parsons, general manager of the Ventura Port District.

Mr. PARSONS. Congressmen Riggs and Fazio, I want to thank you for your past support of Ventura Harbor. I would like to point out that that past support has now turned Ventura Harbor into a major commercial fishing facility. In fiscal year 1995 we landed about 16 million pounds of fish, and I think that is a direct result of your past support.

For fiscal year 1997, we would like to request $3.9 million for the maintenance of our jetty structures and breakwater as well as for maintenance dredging. Also, in an effort that hopefully possibly in the future that we can bring that cost down, we would like to ask you to include $350,000 in the fiscal year 1997 bill for a reconnaissance study of a sand bypass system to evaluate whether such a system would be advisable and hopefully in the long term could reduce the maintenance costs.

I thank you for your time. I do have a more complete statement I would like entered in the record.

Mr. RIGGS. It will be entered into the record. Thank you for your testimony.

[The statement of Mr. Parsons follows:]

VENTURA HARBOR

Richard W. Parsons
General Manager

TESTIMONY
of the
VENTURA PORT DISTRICT
Before The
SUBCOMMITTEE ON ENERGY & WATER DEVELOPMENT COMMITTEE ON APPROPRIATIONS

Second Session - 104th Congress
March 6, 1996

The Ventura Port District respectfully requests that the Congress:

1. Include $3,900,000 in the FY 97 Energy and Water Development Appropriations Bill for the U. S. Army Corps Engineer's maintenance dredging of the Ventura Harbor's federal entrance channel and for the repair of the federal breakwater and jetties. The Corps of Engineers area of responsibility is illustrated in Photo No. 1.

2. Include $350,000 in the FY 97 Energy and Water Development Appropriations Bill to initiate a reconnaissance study to determine the advisability of modifying the existing Federal navigation project at Ventura Harbor to include a sand by-pass system. This study was authorized by the House Committee on Transportation and Infrastructure on September 14, 1995. The study area is illustrated in Photo No. 2.

Ventura Port District
1603 Anchors Way Drive, Ventura, CA 93001, 805/642-8538
FAX 805/658-2249

BACKGROUND

Ventura Harbor is located along the Southern California coastline in the City of San Buenaventura, approximately 60 miles northwest of the City of Los Angeles. The harbor opened in 1963. Annual dredging of the harbor entrance area is usually necessary in order to assure a navigationally adequate channel. In 1968, the 90th Congress made the harbor a Federal project and committed the U.S. Army Corps of Engineers to provide for the maintenance of the entrance structures and the dredging of the entrance channel and sand traps.

The harbor presently generates more than $40 million in gross receipts annually. That of course translates into thousands of both direct and indirect jobs. A significant portion of those jobs are associated with the commercial fishing industry (approximately 16 million pounds of fish products were landed in 1995), and with vessels serving the offshore oil industry. Additionally, the headquarters for the Channel Islands National Park is located within the harbor, and the only commercial vessels transporting the nearly 100,000 visitors per year to and from the Park islands offshore operate out of the harbor. All of the operations of the harbor, particularly those related to commercial fishing, the support boats for the oil industry, and the visitor transport vessels for the Channel Islands National Park are highly dependent upon a navigationally adequate entrance to the harbor.

OPERATIONS & MAINTENANCE NEEDS

It is estimated that $3,900,000 will be required during FY 97 to address the following operations and maintenance needs at Ventura Harbor:

1) repairs to the storm damaged armor stone on the offshore breakwater;

2) repairs to the deteriorated tribars near the head of the south jetty;

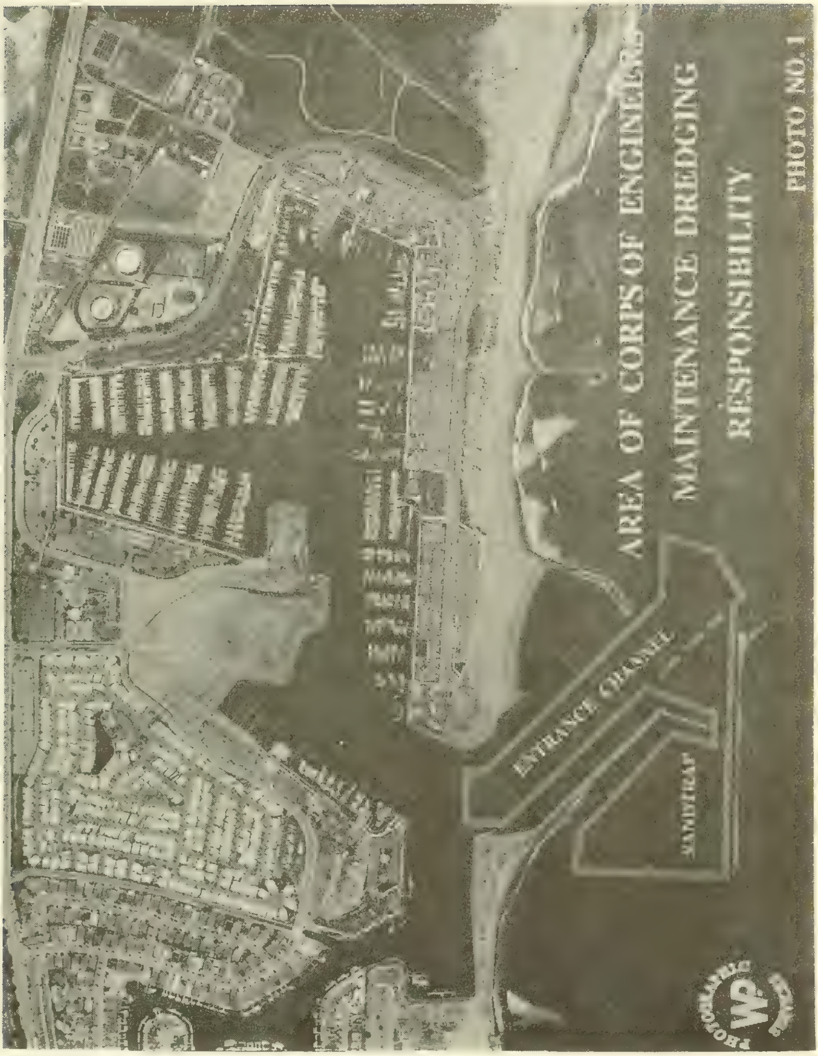
3) repairs to the earthquake damaged north jetty;

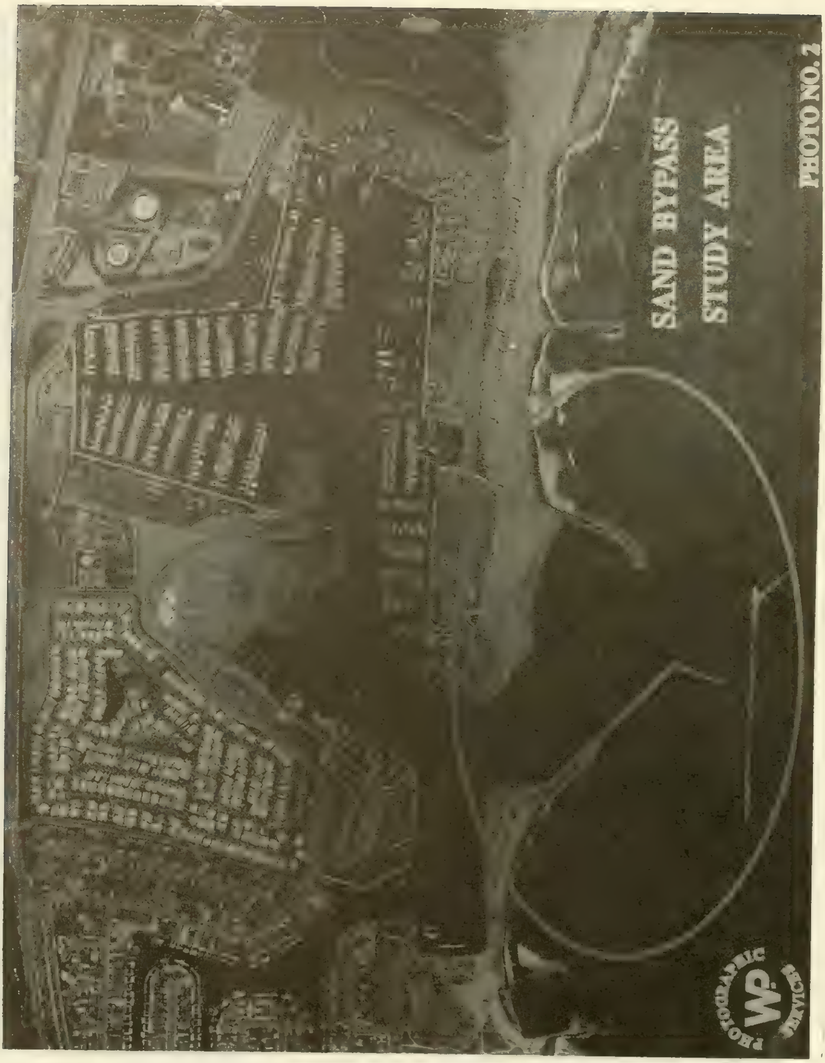
4) dredging in sand traps A & B.

STUDY NEEDS

It is estimated that $350,000 will be required during FY 97 in order to initiate the reconnaissance study for a possible sand by-pass system at Ventura Harbor. Given the continuing need for maintenance dredging it is appropriate to determine if a sand by-pass system or other measures can accomplish the maintenance of the Harbor in a manner that is more efficient and cost effective than the current contract dredging approach.

Richard W. Parsons
General Manager
Ventura Port District


AREA OF CORPS OF ENGINEERS
MAINTENANCE DREDGING
RESPONSIBILITY
ENTRANCE CHANNEL
SANDTRAP
PHOTO NO. 1


SAND BYPASS
STUDY AREA
PHOTO NO. 2
WP PHOTOGRAPHIC SERVICES

WEDNESDAY, MARCH 6, 1996.

PORT OF SACRAMENTO

WITNESS

THOMAS SCHEELER, DIRECTOR OF ENGINEERING

Mr. LUNDIN. The last former chairman of CMANC that is going to appear before you today is Tom Scheeler, chief engineer of the Port of Sacramento.

Mr. SCHEELER. I am here on behalf the Port of Sacramento. I am not here in support of funds for our project but rather to speak about the project's status and the Port of Sacramento's continuing efforts and commitment for completion of its deepening. The first two of six phases have been completed, but we have been unable to implement the remaining phases initially due to relocation problems with utility gas lines and subsequently due to lack of funds for our local sponsor's share.

To address the situation, we have and continue to work aggressively to develop new business to generate the revenue necessary for its completion.

A large tract of port-owned property adjacent to the port harbor has finally been approved for development mostly due to a new access bridge partially funded by ISTEA. This is a very important step in the port's ability to create new business and revenue that will support the completion of the channel deepening.

We recently completed a second year of rice shipments to Japan, handling the majority of this important new export from the rice growers in close proximity to the Port of Sacramento. New industrial bulk commodities are being handled at that same port. We continue to service existing commodities such as fertilizer imports, which are vital to the local growers of one of the most agriculturally productive areas in the world.

In closing, what we are saying is, we continue to work towards completion of this project, we have not given up on it, and we would ask neither would you. We have dealt with the challenges of project cost sharing and upland disposal costs, and we are resolved also to address this challenge. We simply need more time to address our goal.

[The statement of Mr. Scheeler follows:]

STATEMENT OF THOMAS SCHEELER
DIRECTOR OF ENGINEERING
PORT OF SACRAMENTO
TO SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
COMMITTEE ON APPROPRIATIONS
U.S. HOUSE OF REPRESENTATIVES
WEDNESDAY MARCH 6, 1996

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

MY NAME IS THOMAS SCHEELER, DIRECTOR OF ENGINEERING FOR THE PORT OF SACRAMENTO. THE PORT OF SACRAMENTO IS THE LOCAL SPONSOR OF THE SACRAMENTO RIVER DEEP WATER SHIP CHANNEL NAVIGATION PROJECT.

MY PRESENTATION TODAY IS SOMEWHAT UNIQUE IN THAT I AM NOT HERE IN SUPPORT OF FUNDS, AT THIS TIME, FOR OUR PROJECT BUT RATHER TO BRIEFLY SPEAK ABOUT THE PROJECT STATUS AND THE PORT OF SACRAMENTO'S CONTINUED EFFORTS AND COMMITMENT FOR COMPLETION OF ITS DEEPENING. I RECOGNIZE THAT THIS MAY NOT BE WHOLLY APPROPRIATE BUT THIS COMMITTEE HAS BEEN SUPPORTIVE OF OUR PROJECT OVER MANY YEARS AND WE BELIEVE THIS BODY DESERVES TO HEAR THIS EXPLANATION DIRECTLY FROM THE PORT OF SACRAMENTO.

THE FIRST TWO OF SIX PHASES HAVE BEEN COMPLETED ON THIS DEEPENING PROJECT BUT WE HAVE BEEN UNABLE TO IMPLEMENT THE REMAINING PHASES, INITIALLY DUE TO RELOCATION PROBLEMS WITH UTILITY GAS LINES AND SUBSEQUENTLY DUE TO LACK OF FUNDS FOR

OUR LOCAL SPONSOR SHARE. TO ADDRESS THIS SITUATION, WE HAVE AND CONTINUE TO WORK AGGRESSIVELY TO DEVELOP NEW BUSINESS TO GENERATE THE REVENUE NECESSARY FOR ITS COMPLETION.

A LARGE TRACT OF PORT OWNED PROPERTY, ADJACENT TO THE PORT HARBOR, HAS FINALLY BEEN APPROVED FOR DEVELOPMENT MOSTLY DUE TO A NEW ACCESS BRIDGE PARTIALLY FUNDED BY ISTEA. THIS IS A VERY IMPORTANT STEP IN THE PORT'S ABILITY TO CREATE NEW BUSINESS AND REVENUE THAT WILL SUPPORT THE COMPLETION OF THE CHANNEL DEEPENING. WE CONTINUE TO EXPAND AND AGGRESSIVELY PURSUE NEW COMMODITY MARKETS. WE RECENTLY COMPLETED THE SECOND YEAR OF RICE SHIPMENTS TO JAPAN, HANDLING THE MAJORITY OF THIS IMPORTANT NEW EXPORT FROM THE RICE GROWERS THAT ARE IN CLOSE PROXIMITY TO THE PORT OF SACRAMENTO. NEW INDUSTRIAL BULK COMMODITIES ARE BEING HANDLED AND IN COMPLIANCE WITH OFTEN DIFFICULT AND EXPENSIVE ENVIRONMENTAL REGULATIONS. WE CONTINUE TO SERVICE EXISTING COMMODITIES SUCH AS FERTILIZER IMPORTS WHICH IS VITAL TO THE LOCAL GROWERS OF ONE OF THE MOST AGRICULTURALLY PRODUCTIVE AREAS OF THE WORLD.

IN CLOSING, WHAT WE ARE SAYING IS THAT WE CONTINUE TO WORK TOWARDS COMPLETION OF THIS PROJECT, WE HAVE NOT GIVEN UP ON IT AND WOULD ASK THAT NEITHER WOULD YOU. WE HAVE DEALT WITH THE CHALLENGES OF PROJECT COST SHARING AND UPLAND DISPOSAL COSTS AND WE ARE RESOLVED TO ALSO ADDRESS THIS CHALLENGE, WE SIMPLY WILL NEED MORE TIME TO ACHIEVE OUR GOAL.

Mr. FAZIO. Mr. Chairman, I just want to say that I share that sentiment. Tom and all those involved with the port know that I have been in the past and will continue in the future to be completely dedicated to seeing this deepening project completed.

I think we lack a certain amount of vision at the local level at the moment now because, frankly, the assets that you refer to as land adjacent to the port are going to be worth a lot more if that deepening project had been put in than they would be at the moment, even though with that bridge they will be much more valuable than they have been in the past.

So it is a lack of willingness to front the capital, that I am sure would be repaid, that is really holding this project up, and I regret that.

But we will continue to work with you, get that bridge built, and see what we can do to enhance the value of the property and thereby help with some of the cost-sharing requirements that this committee and the Congress are bound to require.

Mr. SCHEELER. Very good.

Mr. FAZIO. So stay the course, Tom. Don't give up.

Mr. SCHEELER. OK. Thank you very much.

WEDNESDAY, MARCH 6, 1996.

MOSS LANDING HARBOR

WITNESS

LARRY P. STEFFEN, HARBOR MANAGER

Mr. LUNDIN. Representing the Moss Harbor District is Larry Steffen.

Mr. STEFFEN. Mr. Chairman and members of the Appropriations Committee, last year at this time I described to you a crisis at Moss Landing Harbor located in the center of Monterey Bay, California, midway between Monterey and Santa Cruz Harbors.

As you may recall, in March 1995 I described the floodwaters which rushed through the rich Salinas Valley agricultural farmlands upstream and raced into our harbor, causing destruction of docks, pilings, and leaving over 100,000 of cubic yards of DDT-laden sediment in Moss Landing Harbor.

The picture you are looking at now was taken days after this disaster, described as the worst storm on record to hit Monterey County. The news article on the back side of this photo gives personal accounts of the storm impact upon our harbor-based commercial fishing vessels and our industry.

At the time of my testimony last year, your committee asked if the then proposed $30 million of disaster relief funds for California would assist the Moss Landing Harbor District to recover. My response was, if funded through FEMA, yes. We are still hopeful FEMA will help.

I am leaving your committee with a copy of our FEMA hazard mitigation grant application for $642,000 in material funds matched with $304,000 of our own local funds to build tidegates, sediment catch basins, and make critical improvements in our harbor and watersheds. Our goal is to prevent a recurrence of the

March 1995 disaster, and we ask for your support of our FEMA grant application.

Another project of great importance to our harbor portrayed on the photo before you is the $1.3 million repair of the Moss Landing Harbor breakwater, both north and south jetties, and hydrology report included, which is also included in the 1997 U.S. Army Corps of Engineers maintenance and operations budget. Both routine dredging and repair of the breakwater are essential to the economy and the safety of vessels entering and leaving Moss Landing Harbor.

Thank you for the opportunity to present this testimony.

Mr. RIGGS. Thank you very much. They sound like very, very important projects.

[The statement of Mr. Steffen follows:]

MOSS LANDING HARBOR DISTRICT
P.O. BOX 10 · PHONE (408) 633-2461 · FAX (408) 633-4537
MOSS LANDING, CALIFORNIA 95039

CONGRESSIONAL TESTIMONY TO THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEE FOR ENERGY AND WATER

Wednesday, March 6, 1996

Presented by Larry Steffen,
representing
Moss Landing Harbor District, California

Mr. Chairman and members of the Appropriations Subcommittee;

LAST YEAR, AT THIS TIME, I described to you the crisis at Moss Landing Harbor located at the center of Monterey Bay, California, mid-way between Monterey and Santa Cruz harbors. As you may recall, in March, 1995, I described the flood waters which rushed across the rich Salinas Valley agricultural farmlands up-stream and raced into our harbor causing destruction of docks, pilings and leaving over 100,000 cubic yards of DDT-laden sediment in Moss Landing Harbor.

The picture you are looking at now was taken days after this disaster, described as the worst storm in over a hundred years to hit Monterey county. The news article on the backside of this photo gives personal accounts of the storm impact upon our harbor-based commercial fishing vessels and industry.

At the time of my testimony last year, your Committee asked if the then-proposed thirty million dollars of disaster relief funds for California would assist Moss Landing Harbor District to recover. My response was "If funded through FEMA, yes". We are still hopeful FEMA will help. I am leaving your committee with a copy of our FEMA grant application for $642,000. in federal funds matched with $304,00 of our own local funds build tidegates, sediment catch basins and make critical improvements in our harbor and watershed. Our goal is to prevent a reoccurrence the March, 1995 disaster and we ask for your support of our FEMA grant application.

SINCE THE STORM LAST YEAR, we have worked closely with all of the regulatory agencies, FEMA and especially with our partner, the U.S. Army Corps-San Francisco office to achieve a dredging schedule now set for this May, 1996.

BECAUSE OF THE DDT, up to 50,000 cubic yards of contaminated sediment may have to be placed on limited Harbor District upland areas to be later trucked to our local landfill. The harbor cost is estimated at $16.00 per cubic yard with an estimated total cost of over $800,000.

TO PUT THIS IN PERSPECTIVE, the annual District Operating Budget is only $1.200,000. and the Harbor District has only $685,000. in its Capital Reserve fund at this time. We have found there are no public or private loans available for dredging and our harbor could not afford the debt service even if a loan were available.
At this critical time, when our Harbor District has been trying to replace its forty year old South Harbor docks, expand wharves, docks and create new landside opportunities for commercial fishing and other transient vessels, the District is now faced no choice but to embark upon a very expensive sediment trucking operation this May.

Another project of great importance to our harbor is the $1.3 million repair of the Moss Landing Harbor Breakwater, and hydrology study included in the 1997 U.S. Army Corps of Engineers Maintenance and Operations Budget. Both routine dredging and repair of the breakwater are essential to the economy and safety of Moss Landing Harbor.

TO PRESENT THE BROADER VIEW OF CALIFORNIA PORTS AND HARBORS, COMMERCIAL TRANSPORT TOTALS OVER 184 MILLION TONS of cargo and over three million passengers by vessel each year. Trade with Pacific Rim nations accounted for 25% of the Nation's imports and exports in 1980; by 1993, that share of trade was almost 35% of the national total and rising (this data is from U.S. Department of Commerce, 1994). An economic analysis conducted by the California Research Bureau found that in 1992, ports and port-related activities contributed approximately $6 billion to the California economy (this data is from California Research Bureau, 1993).

AT THE LOCAL MOSS LANDING HARBOR LEVEL, at the present time, the Moss Landing harbor is experiencing dramatic growth of local private investment with over $60 million dollars in capital development the past five years by David Packard (of Hewlett-Packard) in the construction of the large Monterey Bay Research Institute (MBARI) and other oceanic research facilities. The new MBARI $20 million, 125' long by 65' wide SWATH research vessel "Western Flyer" arrived at Moss Landing two weeks ago. Only because the high tech ship has controllable ballast and it can raise its hull to draw only nine and a half feet, it is able to entering the harbor, berth and leave the harbor at only the highest tides. The authorized dredged depth at the entrance is fifteen feet and the depth is presently eight and a half feet.

Additionally, the new twenty million dollar California State University Moss Landing Marine Laboratory (MLML) facility is planned for completion in 1998. Both MBARI and

MLML will bring in over 500 high paying ocean research related jobs and provide many other service-oriented employment opportunities for unemployed and low-income persons in Monterey and Santa Cruz counties.

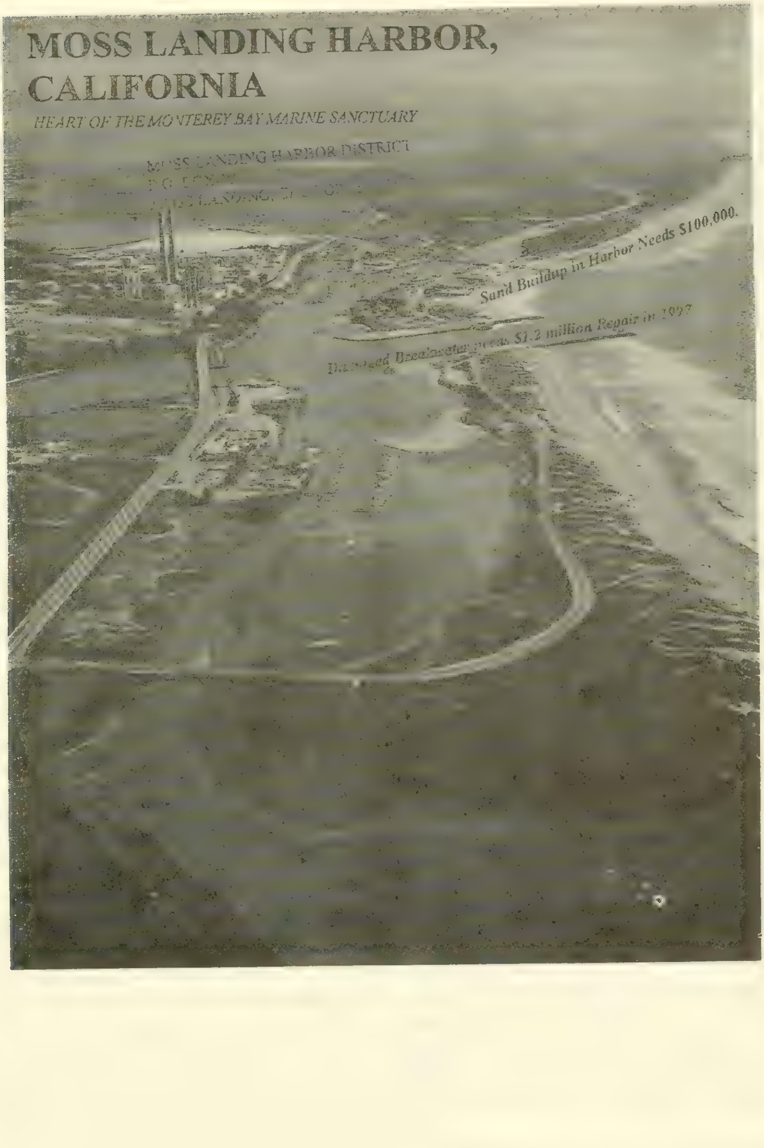
THE NEW MONTEREY BAY STATE UNIVERSITY at the de-activated Fort Ord Army base has also requested the District discuss landside use, dock space and water access at Moss Landing for their future operations.

Solving the above "DDT Bad News" story with approval of our FEMA grant, moving foreward with repair of the breakwater at Moss Landing harbor in 1997 and the ability of the U.S. Army Corps of Engineers and the Harbor District to continue our historic routine of maintenance dredging every three years is critical to our harbor economy. Our dredging, though small in volume with less than 100,000 cubic yards at the harbor entrance, main channel and in the South Harbor berths has significant economic impacts upon our harbor-based commercial fishing industry and the international oceanic research community which benefits from the MBARI and two state universities located in Moss Landing and at Fort Ord.

THE FUTURE OF MOSS LANDING HARBOR and hundreds of other small but economically vital harbors nationwide lies in the implementation of the December, 1994 Report to the Secretary of Transportation entitled THE DREDGING PROCESS IN THE UNITED STATES: AN ACTION PLAN FOR IMPROVEMENT. Important revisions of the current Water Resources Development Act (WRDA) will allow Federal-local cost sharing of all disposal alternatives of dredged material and improve enhance local coordination and communication in the dredging project approval process. Along with a new user fee to help pay for the management of existing ocean and near-shore disposal sites, our nations coastal ports, small and large will continue to grow, produce more jobs. They will become, once again, a vital link to Pacific Rim trade and our world economy.

Thank you for the opportunity to present this testimony.

Can I answer any questions?



MOSS LANDING HARBOR, CALIFORNIA

HEART OF THE MONTEREY BAY MARINE SANCTUARY

MOSS LANDING HARBOR DISTRICT
P.O. BOX [illegible]
[illegible] LANDING, [illegible]

Sand Buildup in Harbor Needs $100,000.

Damaged Breakwater needs $1.2 million Repair in 1997

Richard Green/The Californian

GROUNDED FLEET: Fishermen David Jablonski, above, and Tom Hart, below, were marooned by silt buildup.

MOSS LANDING

Silt and mud have some boats stuck

By Vanessa Atkins
The Californian

Members of the Moss Landing fishing industry spent Wednesday stranded in Salinas Valley mud.

Silt and mud from flooded fields have been flowing into Moss Landing Harbor since the Salinas River spilled over its banks in March.

But fisherman Tom Hart didn't know how bad it was until he started up his boat Wednesday morning

So much mud had settled in the harbor the boat wouldn't budge. And afternoon winds prevented Hart from checking his crab traps around the bay when high tide rolled into the harbor

"I lost my week's wages by not being able to go out today," Hart said. "I've been in this slip for 16 years and I've never had a problem like this before "

Hart, president of the Moss Landing Commercial Fishermen's Association, said the problem threatens the livelihoods of all harbor fishers, but may hit the salmon industry especially hard.

Salmon season begins May 1, and many salmon fishers depend on the short spring season to provide their whole year's income, he said

"For an individual fisherman, every day he can't fish, he could lose $1,000 easy," said salmon fisherman David Jablonski, whose 52-foot boat, "Sea Doxy," also was stuck in the mud.

Harbor channels, supposed to be 12 feet deep, are only 5 to 6 feet in some areas As a result, some large boats can only move when more water enters the harbor at high tide, Harbor Master Larry Steffen said.

Waiting for high tides and low winds "is going to put everyone on a time clock coming in and out of the harbor," Steffen said. "That could eliminate 50 percent of your potential income You've got to go out every day to make money."

The solution to the problem — dredging the harbor - rests with the U S Army Corps of Engineers, which has not yet issued the necessary permits

Richard Green/The Californian

LIMITED ACCESS: Moss Landing Harbor Master Larry Steffen says the sediment limits fishing hours — and income.

Although the federal agency issued an emergency permit to clear the Pajaro River channel after the flood, the presence of the banned pesticide DDT in the harbor may slow things down in Moss Landing.

Steffen said corps representatives arrived Wednesday morning to begin surveying the harbor

After the survey, costly tests can begin to determine how much DDT was washed down the Salinas River during the March floods.

Residual amounts of the pesticide are still present in fields where it was sprayed years ago when it was still legal.

The harbor district spent $34,000 two months ago to perform DDT tests at seven sites.

"Since then the whole harbor has changed," Steffen said. "We don't know how much DDT is in this new sediment."

Dredging can't start until more tests are performed, Steffen said. When that will happen is up to the corps, he said

It could take $1.5 million and 6 months to remove 150,000 cubic yards of silt and sand.

"We're hoping FEMA will cover some of the dredging costs," Steffen said.

WEDNESDAY, MARCH 6, 1996.

MARINA DEL REY DREDGING AND NAVIGATION STUDY, AND MALIBU COASTAL STUDY

WITNESS

GREG WOODALL, PLANNING SPECIALIST, COUNTY OF LOS ANGELES

Mr. LUNDIN. Representing our Chairman Stan Wisniewski of the L.A. County Beaches and Harbors is Planning Specialist, Greg Woodell.

Mr. WOODELL. Mr. Chairman, knowing we are running over our time, I will cut my remarks in half knowing that my full paper will be presented.

Mr. RIGGS. Yes, it will.

Mr. WOODELL. Thank you.

L.A. County is the largest urban county in the country and has the largest man-made marina in the world. Although the U.S. Corps of Engineers is responsible for maintenance dredging in the Marina del Rey, due to various scheduling environmental problems, the Corps has been unable to perform a meaningful dredging project in 15 years, leaving a current 500,000 cubic yards of material in place.

Of this, through a cost-sharing agreement with the County of Los Angeles, 200,000 cubic yards will be removed this year and be used for beach renourishment. The county thanks the subcommittee for its help in executing dredging in 1994. However, $5 million is requested for fiscal year 1997 to remove 300,000 cubic yards of contaminated material, returning the marina's entrance to its original designed depth of 20 feet for the first time in 16 years.

In addition, the Corps has completed a reconnaissance study which established that there is a Federal interest in finding the solution to the contaminated sediments that make dredging and disposal difficult and costly. The feasibility study, estimated at a cost of $2 million over 3 years, is ready to begin, with the County of L.A. willing to pay 50 percent of the cost. Therefore, we are requesting your support for an appropriation of $500,000 for the Federal share of the study's cost in fiscal year 1997.

Further, Mr. Chairman, a reconnaissance study by the Corps determined a Federal interest in a beach renourishment project was needed to protect a main traffic artery between Malibu and Los Angeles, and the Corps is ready to begin the feasibility study. Therefore, we also request your support of the recommendation of CMANC that 200,000 be added to the fiscal year 1997 budget for the Federal share of this study's cost.

Again, we appreciate the patient attention of this Subcommittee on Energy and Water Appropriations.

Mr. RIGGS. Thank you very much.

[The statement of Mr. Woodall follows:]

COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS

STAN WISNIEWSKI
DIRECTOR

KERRY GOTTLIEB
DEPUTY DIRECTOR

JUDITH KENDALL
DEPUTY DIRECTOR

March 1, 1996

Honorable John Myers, Chairman
Energy and Water Development Subcommittee
House Committee on Appropriations
2320 Rayburn House Office Building
Washington, D. C. 20515

Dear Chairman Myers:

FISCAL YEAR 97 FUNDING FOR MARINA DEL REY DREDGING AND NAVIGATION STUDY, AND MALIBU COASTAL STUDY

Los Angeles County respectfully requests that the Congress of the United States include funds in FY 1997 Energy and Water appropriations for the following three projects, which are urgently required to preserve, restore, and maintain vital and precious public recreation assets.

Marina del Rey Entrance Channel Dredging
($5,000,000)

The U. S. Army Corps of Engineers is responsible for maintenance dredging of the Marina del Rey's entrances and main channel, pursuant to a perpetual right of way and easement agreement with the County. The last significant dredging of Marina del Rey occurred in 1981, with 217,000 cubic yards of material removed. Since then, 35,000 cubic yards were removed in 1987 and 55,000 cubic yards were dredged in 1994.

There are currently over 500,000 cubic yards of sediment that need to be removed to return the entrances to a design depth of 20 feet. Shoaling in the south entrance has left a navigable channel that is only 60 feet wide (10% of the entrance width), with a minimal depth for boating safety, of 10 feet. The north entrance, which is approximately 50% closed, must serve two-way traffic, resulting in 80% of the reported boat groundings.

The near emergency created by these conditions has lead to a plan to dredge 240,000 cubic yards of clean sediments at the end of March and early April, 1996. This project which is being funded out of current year appropriations, will not only open 50% of the south entrance and 90% of the north entrance, it will also provide time for continuing work on the long-term solution to the Marina's dredging problem. However, it will leave 300,000 cubic yards of contaminated sediments that must be removed to regain design depth and avoid annual emergencies caused by shoaling.

FAX (310) 821-6345
(310) 305-9503 13837 FIJI WAY, MARINA DEL REY, CALIFORNIA 90292

Because the President's FY 97 budget has not been released, it is not known if any funds have been included to perform maintenance dredging at Marina del Rey. We are, therefore, requesting your support for an appropriation of $5 million to remove the 300,000 cubic yards of sediments, which continue to threaten the ability of the U. S. Coast Guard, the County Sheriff's Harbor Patrol, the County Lifeguards and the City and County Fire Departments to respond to emergencies. As these agencies are the critical core of the LAX Air-Sea Disaster Response Team, it is imperative that the Marina's entrances remain open and safely navigable.

To avoid the potential cost of upland disposal of the 300,000 cubic yards of contaminated sediments, which could be $30 million, the County is working with the City of Long Beach, the Corps, the Environmental Protection Agency, and others, to gain approval for use of the City of Long Beach's borrow pits for contaminated sediment disposal. The City has 1,400,000 cubic yards of sediment in the Los Angeles River estuary that must be removed, for which they will be requesting approximately $6.4 million from Congress. Because the dredging of Marina del Rey will depend on completion of the City's project, the County asks that you support their funding request, as well as ours.

Marina del Rey and Ballona Creek Feasibility Study
($500,000)

The sediments creating navigational hazards in Marina del Rey's entrances contain contaminants that make dredging and disposal difficult and costly. The U. S. Army Corps of Engineers has completed a reconnaissance study which established that there is a Federal interest in solving this problem. The feasibility phase of the study is about to begin, with the County agreeing to provide 50% of the necessary funding.

The study's scope is currently being finalized. It will focus on an economical and environmentally safe disposal option for the contaminated sediments, as well as on actions that can be taken in the Ballona Creek watershed that will eliminate or reduce the flow of contaminated sediments into Marina del Rey's entrance. Dedicated staff from the County, the Corps, the City of Los Angeles, the Santa Monica Bay Restoration Project, Heal the Bay, and other environmental and regulatory agencies have worked to limit the scope, time, and cost of this study. Current estimates are that the study will require two to three years to complete, at a cost of $2 million. It is unknown at this time if there are any funds in the President's FY 97 budget for this study. We, therefore, request your support for an appropriation of $500,000 for the Federal share of the cost in FY 97.

Malibu Coastal Area Shoreline Protection Study
($200,000)

A reconnaissance study, which was conducted by the U. S. Army Corps of Engineers, determined that there is a Federal interest in a project that would widen a sandy beach to protect Pacific Coast Highway, and other coastal property, as well as to expand public access to the beach. The next phase of the project would be the Corps' feasibility study, which would cost $1.4 million. At present, the County has not agreed to share in the cost of the study because it has no means to finance the long-term costs for maintenance and renourishment of the beach. As a consequence, the project will probably not be included in the President's FY 97 budget; however, the County supports the recommendation of the California Marine and Navigation Conference (C-MANC) that $200,000 be added to the FY 97 budget for the Federal share of this study's cost.

Because this project would be of great benefit to the public, providing a beautiful beach and protection for the main traffic artery between the Malibu coastline and Los Angeles, the feasibility study should be funded for FY 97. The County is hopeful that funding sources could be secured during that time to ensure that future costs of the project could be met.

Opposition to Presidential Policies

Los Angeles County strongly opposes the President's policies related to the elimination of Federal funding for maintenance dredging of recreational harbors and for shoreline protection projects. Attached is a copy of a letter to the President, signed by four County Supervisors, concerning this matter.

While we believe the Federal Government is obligated by statute and agreement to perform maintenance dredging in Marina del Rey, and despite the fact that Marina del Rey should be exempt from the President's policy by virtue of its inclusion in the Harbor Maintenance Trust Fund, we request your opposition to the President's policy and your support of requests for funding of maintenance dredging projects for recreational harbors.

Shoreline protection projects should also be supported, particularly in southern California, where the beaches and coastal areas are heavily populated and popular recreational destinations. Travel and tourism are among the nation's largest and fastest growing industries, with 85% of all tourism revenues being generated in coastal states. Unfortunately, only a small portion of the Federal tax dollars generated by coastal tourism is being returned to coastal regions in the form of shore protection and beach renourishment. In fact, the Federal government spends as much as ten times more money on a single crop subsidy, in one state, as it does nationwide on beach restoration.

The difficult task of making shrinking financial resources stretch to meet the growing demand for services faces all of us in government. I trust that you and your Committee will not only be equal to the task, but will recognize the importance of funding the projects discussed in this letter. Again, your consideration of these requests and your continued support are very deeply appreciated.

Respectfully submitted,

Stan Wisniewski

Stan Wisniewski, Director

SW:DRS:be
Attachment
c: Senator Barbara Boxer
Senator Diane Feinstein
Congressman Vic Fazio
Congressman Frank Riggs
Assistant Secretary of the Army H. Martin Lancaster

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES
383 KENNETH HAHN HALL OF ADMINISTRATION / LOS ANGELES, CALIFORNIA 90012

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Department of
Beaches & Harbors

JAN 23 '96

	Info	Act
Director		copy
Exec Asst		
Asst Mgmt		
Planning		✓
Admin Srvcs		
Safety/San		
Human Res		
Cmty Srvcs		

January 18, 1996

The President
The White House
Washington, DC 20500

Dear Mr. President:

DREDGING MARINA DEL REY

Marina del Rey is the largest small craft harbor in the United States, serving California's population epicenter. The Marina is owned and operated by the County of Los Angeles, but the dredging of its entrances and main channel are the responsibility of the Army Corps of Engineers. Marina del Rey has not been thoroughly dredged since 1981. Therefore, the south entrance is now on the verge of completely closing and the north entrance is 50% closed. This cripples any ocean rescue response to air/sea disasters off of Los Angeles International Airport (LAX). Accordingly, the United States Coast Guard has appealed to the Corps of Engineers for an emergency dredging.

We have been informed by the Army Corps of Engineers that it does not have any funds to perform a dredging project in Marina del Rey this year, not even for an interim dredging to remove clean sediments, which can be economically placed on an adjacent beach. Development of an aggressive long-term solution to this entrance navigation problem is underway.

The Marina is important to the economy of Los Angeles County and the State of California. It is critical that every effort be made to keep its entrances safe for navigation and to maintain emergency response preparedness for LAX, one of the largest airports in the world. Therefore, on behalf of the residents of Los Angeles County, we request that you direct the Corps of Engineers to perform its mission. This is now becoming a matter of considerable public concern and County government asks for the support of the Administration.

Very truly yours,

Mike

MICHAEL D. ANTONOVICH
CHAIRMAN
SUPERVISOR, 5th DISTRICT

Yvonne B Burke

YVONNE BRATHWAITE BURKE
SUPERVISOR, 2nd DISTRICT

Zev Yaroslavsky

ZEV YAROSLAVSKY
SUPERVISOR, 3rd DISTRICT

Deane Dana

DEANE DANA
SUPERVISOR, 4th DISTRICT

WEDNESDAY, MARCH 6, 1996.

MARE ISLAND STRAIT DREDGING

WITNESSES

GLORIA EXLINE, MAYOR, CITY OF VALLEJO, CALIFORNIA
WALTER GRAHAM, CITY MANAGER, CITY OF VALLEJO, CALIFORNIA
AL LAVEZZO, BUSINESSMAN, CITY OF VALLEJO, CALIFORNIA

Mr. LUNDIN. CMANC would like to welcome another new member, the City of Vallejo, and here representing the City of Vallejo is Mayor Exline.

After her testimony, she will introduce the two gentlemen accompanying her.

Mr. RIGGS. Hi, Mayor, good to see you again.

Ms. EXLINE. Thank you very much, Congressman Riggs.

On behalf of the citizens of Vallejo, California, I would like to thank your subcommittee for allowing Walter Graham, our City Manager, and Mr. Al Lavezzo, a very prominent businessman in Vallejo, and me to appear before you today.

The reason that we are here is to explain to you why it is so very important to the people of Vallejo and the San Francisco Bay area that the dredging of the Mare Island Straits is resumed.

Our City Manager, Walter Graham will now explain to you why dredging of the strait is critical to the rebirth of Mare Island.

[The statement of Ms. Exline follows:]

SPEECH TO CONGRESSIONAL ENERGY AND WATER APPROPRIATIONS SUBCOMMITTEE REGARDING MARE ISLAND STRAIT DREDGING

MAYOR GLORIA EXLINE

MARCH 6, 1996

ON BEHALF OF THE CITIZENS OF VALLEJO, CALIFORNIA, I WOULD LIKE TO THANK CHAIRMAN MEYERS AND THE MEMBERS OF THE ENERGY AND WATER APPROPRIATIONS SUBCOMMITTEE FOR ALLOWING WALTER GRAHAM, VALLEJO CITY MANAGER, MR. AL LAVEZZO, A PROMINENT BUSINESSMAN, AND ME TO APPEAR BEFORE YOU. THE REASON THAT WE ARE HERE IS TO EXPLAIN TO YOU WHY IT IS SO VERY IMPORTANT TO THE PEOPLE OF VALLEJO AND THE SAN FRANCISCO BAY AREA THAT THE DREDGING OF THE MARE ISLAND STRAITS IS RESUMED.

IN 1993, MARE ISLAND NAVAL SHIPYARD WAS DESIGNATED FOR CLOSURE, A TERRIBLE BLOW TO THE COMMUNITY. AT THAT TIME, WE FELT THE CONTRIBUTIONS MARE ISLAND HAD MADE IN PROTECTING AMERICA WERE FORGOTTEN. BUT WE ALSO REALIZED THAT SACRIFICES HAD TO BE MADE IN PEACETIME; NEVERTHELESS, THE CLOSING OF MARE ISLAND WAS LIKE THE LOSING OF A FAMILY MEMBER, BECAUSE FOR 150 YEARS THE NAVAL BASE HAS CONTRIBUTED NOT ONLY JUST TO OUR ECONOMY, BUT ALSO TO THE HEART AND SOUL OF VALLEJO.

HOWEVER IN SPITE OF THE LOSS, THE CITY HAS BEEN MOVING AGGRESSIVELY IN PREPARING FOR THE FUTURE. IT HAS DONE EVERY-

THING THAT THE FEDERAL GOVERNMENT HAS ASKED IN PREPARATION FOR THE CLOSURE. OUR COMMUNITY QUICKLY CAME TOGETHER, DEVELOPING OBJECTIVES AND A REUSE PLAN. ALL OF THIS TOOK PLACE WITHIN A YEAR AFTER THE ANNOUNCED CLOSURE. NOW, PRIVATE SECTOR TENANTS ARE BEGINNING TO RELOCATE TO MARE ISLAND. OUR FAST AND EFFICIENT PLANNING FOR THE REUSE OF MARE ISLAND HAS BEEN VIEWED BY MANY AS A MODEL FOR OTHER COMMUNITIES TO EMULATE.

BUT WE NEED YOUR HELP IN MAKING A SUCCESSFUL TRANSITION. IN ORDER TO MAINTAIN THE ECONOMIC VIABILITY OF MARE ISLAND, WE NEED THE ARMY CORPS OF ENGINEERS TO RESUME ITS DREDGING OF MARE ISLAND STRAITS SO THAT WE CAN MAINTAIN MARITIME ACTIVITY.

CITY MANAGER WALTER GRAHAM WILL NOW EXPLAIN WHY DREDGING OF THE STRAIT IS CRITICAL TO THE REBIRTH OF MARE ISLAND.

Mr. GRAHAM. Thank you, Mr. Chairman and Members of the committee.

I would like to tell you first that Mare Island Strait, which is the lower part of the Napa River, has been dredged to a 36-foot depth for many years as part of the Naval Shipyard Station at Mare Island. With the closure of the Mare Island Ship Station we are going to see that strait fill up from a 36-foot depth, to a 15-foot depth, and that will not be adequate to provide large ships coming in.

We are anticipating an aircraft carrier coming in to dock there, and the irony is that after 150 years of building ships, we are now going to spend the rest of our life probably dismantling those ships, but we need to have the Mare Island Straits dredged deep enough so that those large ships can come in and be dismantled here rather than on some foreign shore.

We are asking specifically that you consider enabling language that will require the Army Corps of Engineers to resume the dredging of Mare Island Strait all the way over to the piers or seawalls in order to provide for a continuation of our maritime access to those shipyard facilities so we can continue to bring maritime economy onto that island.

Secondly, we are asking that you consider the appropriation of $2 million approximately annually for the Corps of Engineers to accomplish that dredging work necessary to maintain the maritime access into the Mare Island Shipyard facilities. We believe that you will not have to do that forever, but while we are in our Base Conversion program, we simply need to have a little bit of a help in the first few years as we get businesses on to that island.

Thank you, sir.

Mr. RIGGS. You are asking for both waterfront and channel dredging?

Mr. GRAHAM. Yes, sir, that is correct.

Mr. RIGGS. And this regular dredging responsibility has historically been performed by the Department of the Navy which is closing Mare Island effective April 1st of this year?

Mr. GRAHAM. Yes, sir, and the responsibilities of the Corps of Engineers.

Thank you.

[The statement of Mr. Graham follows:]

SPEECH TO CONGRESSIONAL ENERGY AND WATER APPROPRIATIONS SUBCOMMITTEE REGARDING MARE ISLAND STRAIT DREDGING

CITY MANAGER WALTER GRAHAM
MARCH 6, 1996

THANK YOU CHAIRMAN MEYERS AND THE MEMBERS OF THE ENERGY AND WATER APPROPRIATIONS SUBCOMMITTEE. I APPRECIATE THE OPPORTUNITY THAT YOU HAVE GIVEN MAYOR EXLINE, VALLEJO ARMED FORCES COMMITTEEMEMBER AL LAVEZZO, AND ME, TO EXPLAIN WHY THE RESUMPTION OF DREDGING IN THE MARE ISLAND STRAIT IS SO IMPORTANT TO THE ECONOMIC FUTURE OF MARE ISLAND, VALLEJO, AND THE REGION.

MARE ISLAND IS LOCATED IN THE NORTHEASTERN PART OF THE SAN FRANCISCO BAY AREA. THE MARE ISLAND NAVAL SHIPYARD, WHICH IS LOCATED ON THE WESTERN EDGE OF VALLEJO, HAS HISTORICALLY BEEN THE LARGEST EMPLOYER IN THE REGION. IT HAD A PEAK EMPLOYMENT LEVEL OF 40,000 PEOPLE DURING WORLD WAR II. BY THE LATE 1980'S, MARE ISLAND STILL PROVIDED 10,000 JOBS. THE NUMBER OF JOBS HAD FALLEN TO 6,500 WHEN IT WAS ANNOUNCED THAT THE BASE WOULD BE CLOSED IN 1993.

AS MAYOR EXLINE NOTED, THE PEOPLE OF VALLEJO WORKED DILIGENTLY TO DEVELOP THE REUSE PLAN AND NOW ARE LOOKING TO THE FUTURE WITH GROWING CONFIDENCE THAT THE CONVERSION OF MARE ISLAND WILL BE SUCCESSFUL IN REPLACING THE JOBS LOST THROUGH THE CLOSURE. THE PEOPLE OF VALLEJO RALLIED TOGETHER WHEN THEY LEARNED OF THE CLOSURE. THAT SENSE OF PURPOSE RESULTED IN A PUBLIC-PRIVATE PARTNERSHIP

FOR DEVELOPING A REUSE PLAN FOR MARE ISLAND. THIS PARTNERSHIP, KNOWN AS THE MARE ISLAND FUTURES WORK GROUP, WAS COMPOSED OF 52 PEOPLE REPRESENTING LABOR, BUSINESS, GOVERNMENT, EDUCATION, THE ENVIRONMENT, AND PRIVATE CITIZENS. STARTING IN DECEMBER 1993, THE MARE ISLAND FUTURES WORK GROUP WAS ABLE TO COMPLETE THE REUSE PLAN IN JUST EIGHT MONTHS. TODAY TENANTS ARE BEGINNING TO LEASE AVAILABLE SPACE ON MARE ISLAND.

WHILE THE PEOPLE OF VALLEJO HAVE PROVEN THEY CAN GET THINGS DONE, WE NEED YOUR HELP. THE SHIPYARDS ARE A CRITICAL ELEMENT IN THE LONG-TERM DEVELOPMENT OF MARE ISLAND. AS LONG AGO AS THE 1850'S, THE NAVY RECOGNIZED THE UNIQUE MARITIME VALUE OF MARE ISLAND AND STARTED CONSTRUCTION OF THE SHIPYARDS THAT EXIST TODAY. DURING MARE ISLAND'S LONG AND ILLUSTRIOUS HISTORY, THOUSANDS OF SHIPS HAVE BEEN BUILT AND REPAIRED AT THE SHIPYARDS.

THESE SPECIALIZED SHIPYARD FACILITIES MAKE MARE ISLAND ATTRACTIVE TO BUSINESSES. WITH FOUR DRYDOCKS AND NUMEROUS PIERS FOR MOORING SHIPS, MARE ISLAND CAN PROVIDE A RANGE OF SERVICES THAT ARE SCARCE IN THE SAN FRANCISCO BAY AREA AND THE REST OF THE WEST COAST. THE FUTURE VITALITY OF MARE ISLAND AND VALLEJO RELY HEAVILY ON THE USE OF THE SHIPYARD FACILITIES.

ALREADY THE CITY HAS BEEN ABLE TO UTILIZE THE SHIPYARD FACILITIES TO EXPLOIT A NICHE IN THE MARKET. TWO COMPANIES WHICH ARE INVOLVED IN SHIP DISMANTLING AND RECYCLING OF

SCRAP METAL ARE MOVING TO MARE ISLAND. ALONG WITH COMPANIES IN OTHER INDUSTRIES, SUCH AS SHIP REPAIR, STEEL FABRICATION, AND INDUSTRIAL PAINTING, THE SHIPYARD FACILITIES ARE ATTRACTING A GROWING NUMBER OF COMPANIES. THESE COMPANIES WILL PROVIDE AT LEAST 500 JOBS, WITH THE LIKELIHOOD THAT THE ACTUAL NUMBER WILL BE AROUND 1,000.

BUT WE CANNOT CONTINUE TO CAPITALIZE ON THIS IMPORTANT RESOURCE IF WE ARE NOT ABLE TO KEEP THE MARITIME ACCESS ROUTE OPEN. THE MARE ISLAND STRAIT, WHICH RUNS ALONG THE EAST SIDE OF MARE ISLAND, PROVIDES MARITIME ACCESS FROM THE SHIPYARD FACILITIES TO THE SAN PABLO BAY, WHICH FEEDS INTO THE SAN FRANCISCO BAY. IN JANUARY 1995, THE ARMY CORPS OF ENGINEERS STOPPED DREDGING THE SHIP CHANNEL IN THE MARE ISLAND STRAIT. UP UNTIL THAT TIME, THE ARMY CORPS OF ENGINEERS HAD MAINTAINED THE CHANNEL AT A DEPTH OF 36 FEET. ACCESS FROM THE CHANNEL TO THE SEAWALL OF THE SHIPYARD WAS DREDGED BY THE NAVY TO A DEPTH OF BETWEEN 30 AND 39 FEET.

WITH THE CESSATION OF DREDGING BY THE ARMY CORPS OF ENGINEERS OVER THE LAST 14 MONTHS, THE SILT DEPOSITS ARE BUILDING. SILTING OF THE STRAIT HAS BEGUN TO IMPACT THE TYPES OF SHIPS THAT CAN ACCESS THE SHIPYARD FACILITIES. THE ARMY CORPS OF ENGINEERS CURRENTLY PLANS TO RESUME DREDGING ONLY IF THE DEPTH RECEDES TO 15 FEET, WHICH IS TOO SHALLOW FOR SHIPS. THIS WILL PUT THE REUSE OF ALL OF MARE ISLAND INTO JEOPARDY BECAUSE PRIVATE SECTOR TENANTS WILL GO

ELSEWHERE. MARE ISLAND SIMPLY CANNOT COMPETE IN THE MARKETPLACE WITHOUT MARITIME ACCESS.

THIS CAN BE AVOIDED BY HAVING THE ARMY CORPS OF ENGINEERS RESUME DREDGING THE SHIP CHANNEL AND THE AREA BETWEEN THE CHANNEL AND THE SHIPYARD'S SEAWALL TO A DEPTH IN EXCESS OF 32 FEET, ENSURING THAT THE UNIQUE MARITIME FACILITIES ON MARE ISLAND CAN CONTINUE TO BE PRODUCTIVE. THE ARMY CORPS OF ENGINEERS SPENT BETWEEN $300,000 (FFY 1991) AND $1 MILLION (FFY 1994) ANNUALLY FOR DREDGING, AND THE NAVY SPENT AN ADDITIONAL $1 MILLION ANNUALLY. THUS, WE ARE ESTIMATING THAT $2 MILLION A YEAR NEEDS TO BE MADE AVAILABLE FOR THE RESUMPTION OF DREDGING.

SUCH AN INVESTMENT BY THE FEDERAL GOVERNMENT WOULD HELP A REGION THAT HAS SUFFERED FROM THE CLOSURE OF NUMEROUS MILITARY BASES. THE COST OF DREDGING WILL BE OUTWEIGHED BY THE ECONOMIC BENEFITS OF THE 500 TO 1,000 JOBS THAT ARE ALREADY BEING PRODUCED, AND THE MANY JOBS THAT WILL BE PRODUCED IN THE FUTURE. THESE ARE IMPORTANT STEPS IN REPLACING THE 10,000 JOBS THAT WERE LOST WITH THE CLOSURE OF MARE ISLAND.

SPECIFICALLY, WE ASK THAT THE ENERGY AND WATER APPROPRIATIONS SUBCOMMITTEE DO THE FOLLOWING:

- INCLUDE ENABLING LANGUAGE THAT REQUIRES THE ARMY CORPS OF ENGINEERS TO RESUME DREDGING MARE ISLAND STRAIT TO THE SEAWALL, IN ORDER TO PROVIDE MARITIME ACCESS TO THE SHIPYARD FACILITIES; AND
- APPROPRIATE $2 MILLION ANNUALLY FOR THE ARMY CORPS OF ENGINEERS TO PERFORM ALL DREDGING NECESSARY TO MAINTAIN MARITIME ACCESS TO MARE ISLAND'S SHIPYARD FACILITIES.

CHAIRMAN MEYERS AND MEMBERS OF THE ENERGY AND WATER APPROPRIATIONS SUBCOMMITTEE, I APPRECIATE THE OPPORTUNITY THAT YOU HAVE GIVEN MAYOR EXLINE AND ME TO APPEAR BEFORE YOU TO EXPLAIN THIS CRITICAL NEED.

Mr. LAVEZZO. Pleasure you are to appear before your committee, Mr. Chairman.

The importance of this project to the City of Vallejo and to the entire County of Savannah as well as county of Napa is immense, as you know, Mr. Chairman. We had 15,000 jobs that have been taken away from the collective economies of the County of Napa and the County of Solano within the past 3 years. It is paramount to the success of the conversion program of the Mare Island Naval Shipyard from military to privatization that we have the continued dredging resumed immediately by the Corps of Engineers.

If we are to utilize the $2 billion infrastructure which the United States Federal Government has in the County of Solano, City of Vallejo, we need the dredging resumed and we need it resumed immediately. And it is ironic, as City Manager Walter Graham has said, for years, 150 years we built ships, now we are going to dismantle those ships. But from the standpoint of the economy and the jobs in the country of the United States it is in the best interest of everyone, all of us, that the dredging be resumed and we be allowed to perform those jobs here in the United States of America.

Thank you for allowing me to appear.

Mr. RIGGS. Thank you gentlemen.

Having recently visited Mare Island, thanks to your hospitality, I can attest that the problems and challenges there are enormous, but the potential future potential is huge as well. We would like to work with you.

Mr. LUNDIN. Mr. Riggs, in closing, as you well know, CMANC has lots of members that support it. They don't always testify but they are here working, and I would like to very quickly introduce them.

Frank Dunn, Consultant, with his wife Beverly, if they would stand up and wave. Mike Gasparro, with Homes Architects and Engineers; Norm Richardson, Mayor of the Town of Corte Madre; Sue Allen, of Long Beach; my wife Tammi Lundin; Margaret Sherer, and I believe I have identified everyone that is here.

In closing, we want to thank you for your consideration and attention again. We have tried to be quick. There is a lot to talk about, and I might just add on a personal note, out of the 37 years that we have been coming back here, it has been my pleasure to be involved some 37 or 33 of those. I am very honored to be able to do that.

[The statement of Ms. Iwata follows:]

STATEMENT ON BEHALF OF THE
SAN FRANCISCO AREA WATER RECLAMATION STUDY
BEFORE THE U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

The Honorable John Myers, Chairman

March 6, 1996

Submitted by
Wendy Ho Iwata
Project Manager, Department of Public Works
City and County of San Francisco

STATEMENT ON BEHALF OF THE
SAN FRANCISCO AREA WATER RECLAMATION PROJECT
FOR $1.5 MILLION FOR THE BUREAU OF RECLAMATION'S
PARTICIPATION IN FISCAL YEAR 1997

Honorable Chairman John Myers, distinguished members of the United States House of Representatives Committee on Appropriations, my name is Wendy Iwata and I am pleased to submit this statement to you today on behalf of the almost 20 agencies involved in the San Francisco Area Water Reclamation Project. The **San Francisco Area Water Reclamation Project** is more commonly known as the **Central California Regional Water Recycling Project** (CCRWRP) because the potential service areas have expanded to northern and central California, with impacts for water rights throughout the state. Because of the major environmental benefits and the reliable water resource role that a regional water recycling project can play in California, the CCRWRP asks for $1.5 million for the Bureau of Reclamation's participation in this project for federal fiscal year 1997.

The purpose of the **San Francisco Area Water Reclamation Project** is to conduct a feasibility study identifying California regions that could use high-quality recycled water for such purposes as agricultural irrigation or salinity control. Of the estimated 650,000 acre feet totally available in the San Francisco Bay Area for water recycling, up to 200,000 or about one-third can be used locally. The amount exceeding local usage -- up to 450,000 acre feet — could be exported to outside regions for beneficial reuse. *This excess water is currently disposed into the Bay, rivers and delta—a discharge option more difficult with increasingly stringent discharge limitations and higher treatment standards facing the entire state.* More importantly, this high-quality water is a valuable resource that can help *offset environmental diversions, meet agriculture's demands, provide drought protection, secure additional emergency reserves for firefighting and other disasters*, and more.

We are all too aware of the State's Department of Water Resources' projected water shortfall in California by year 2020 of up to 8 million acre feet. We know that urban water demands will almost triple by the 2020, and that freshwater diversions to the Delta can be as high as 1.1 million acre feet of water. As municipalities who must plan for the water needs of our people and environments, we join with the State and Federal governments in our quest to develop scientifically-valid needs assessments, well-documented regional supply plans, and finally, environmentally sound, site-specific implementation strategies. On behalf of the over 15 Bay Area water and wastewater agencies participating in the Central California study; the multitude of state and federal jurisdictions involved in our stakeholder, regulatory and technical committees; and the agricultural, business, manufacturing and environmental communities engaged in this dialogue, we strongly support this partnership and feasibility study known as the **Central California Regional Water Recycling Project**. With the recent release of the first set of recommendations from the Step I Feasibility Analysis, we urge your support for $1.5 million for Step 2 so that the social, economic and environmental issues can be addressed alongside with the technical screening that produced our first set of viable recycling alternatives.

Briefly, the major accomplishments of Step I include the following:

1. Export Alternatives: After evaluating over 30 options for use of recycled water outside the Bay Area, the major alternatives now include: a) direct augmentation of flows in the *Sacramento-San Joaquin Delta* for salinity repulsion; b) agricultural reuse and refuge use via the *Delta Mendota Canal*; c) agricultural reuse and salinity control in the *Monterey/Salinas* Area;
2. Local use: we have identified measures that will help maximize local use of recycled water, including irrigated green belts in the Bay Area;
3. Water Quality: we have projected the expected water quality of Bay Area recycled water and identified measures to mitigate those components that exceed standards;
4. Wastewater Benefits: we have projected the reductions in mass loadings to the Bay Area, and calculated a wastewater benefit cost;
5. Water Supply Benefits: we have identified significant water supply benefits related to local and export use of recycled water.

The Step 2 phase of the feasibility study will further define and evaluate the social, economic and environmental issues that might "trigger" export of recycled water to the Delta Islands, DMC or Monterey/Salinas area. The products of Step 2 will be a definition for the best apparent project(s) and a Regional Recycling Water Master Plan linking local recycling with the export options under study.

The **CCRWRP** is **integral** to other statewide, Bureau of Reclamation-funded studies that seek **to link potential sources of water supply to areas of greatest need.** The goals of **CCRWRP** are completely consistent and environmentally compatible with other on-going state studies -- *develop a statewide water yield picture... find linkages to those geographic areas of need that are economical, socially and environmentally acceptable...conduct site-specific environmental reviews that can lead to implementation*. I refer specifically to the Least-Cost CVP Yield Increase Plan (a methodology to link water needs to water supply, currently before the Department of Interior for approval) and Bulletin 160-98 Technical Assistance to States (Bureau of Reclamation's participation with DWR), both of which see water reuse as an option to reduce water demand and increase yield. The California Water Augmentation Program, a new start for FY 1997, will build on these efforts and apply this methodology statewide to balance water supply and water demand. In the same way, the on-going CALFED process focuses on the freshwater needs of the Delta, which is a main option for study under CCRWRP for export of recycled Bay Area water.

Clearly, this is a crucial time for these statewide studies to converge. Locally, we proceed in completing our environmental reviews of local reclamation projects while participating in a 50-50 cost-sharing with the Bureau of Reclamation for the regional water recycling project. It is clear to us as participants in the **San Francisco Area Water Reclamation Project** that this feasibility study is important now, in light of increasingly stringent discharge and treatment standards, as well as important for California's future in conserving fresh water supplies and meeting water demands. **The local partners are committed to meeting the local financial and staffing demands of this project—we ask for your support in securing $1.5 million for the Bureau of Reclamation's participation in 1997 for the San Francisco Area Water Reclamation Project.**

Mr. RIGGS. Thank you and CMANC.

And let me note that while the record of today's hearing will be closed out very soon, the subcommittee would welcome your comments and thoughts once we have received a specific line-item budget proposal from the administration.

And with that, I will declare the subcommittee in recess to reconvene at 2:00 p.m.

WEDNESDAY, MARCH 6, 1996.

CENTRAL ARIZONA PROJECT

WITNESS

HON. JIM KOLBE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA

Mr. MYERS. The committee will come to order.

This morning was California. This afternoon, it is Colorado.

Mr. PASTOR. It is Arizona—on the Colorado River.

Mr. MYERS. I just talked to Colorado outside there. I have got Colorado on my mind. They will come in later, I guess. It is Arizona right now.

Mr. PASTOR. But it does deal with Colorado.

Mr. MYERS. Yes. But we are pleased to—who is the spokesman? Jim, our colleague from appropriations, Mr. Kolbe.

Mr. KOLBE. Thank you very much.

Mr. MYERS. Your prepared statements, all of you, will be placed in the record. You can continue as you would like. You have 20 minutes this afternoon. So it is all yours.

Mr. KOLBE. Thank you very much, Mr. Chairman.

Since we have a limited amount of time I will make my remarks just simply introductory. I do have a statement which will be placed in the record.

We are here, as you know, Mr. Chairman, for an annual event which is the hearing on the Central Arizona Project. This is something of a ritual for those of us in Arizona but we think a very nice ritual.

Let me pay special attention and make special mention, Mr. Chairman, of the service that you have given to this committee and the subcommittee and the committee and to the Congress and to the Nation in the work both you and the Ranking Member, Mr. Bevill, have done to assure that the Central Arizona Project has been funded through the years. We appreciate your service. We appreciate your assistance, your willingness to talk to us, to listen to us. We are going to miss you greatly.

Mr. MYERS. Even if I do move to Colorado.

Mr. KOLBE. We would like to get you moved down to Arizona, Mr. Chairman. We would love to have you come down there into the warm climates of Arizona.

Mr. MYERS. May I interrupt you here? I am pleased to see Jay Rhodes back here, whose father sat right in this chair. He was the one who got this started.

Mr. KOLBE. Absolutely, Mr. Chairman.

Mr. Chairman, again, in the interest of time, I will not go into the issues. We don't even have the President's FY97 budget figure at this point. We are confident that it will provide for full funding, and we are confident this committee will support that.

There are other issues in my statement which I address and which I hope the committee will want to address dealing with the jeopardy opinion—the biological opinion from the Fish and Wildlife Service—and with the issue of terminal storage in Tucson, which will be covered by some of the other speakers.

Before I introduce the other members, the other people from Arizona who will be speaking, let me introduce my colleague here, Ed Pastor, who has been a member of the Appropriations Committee and invite him to say a few words.

Mr. MYERS. Sit right down on the end there.

[The statement of Mr. Kolbe follows:]

STATEMENT OF THE HONORABLE JIM KOLBE

BEFORE THE COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

MARCH 6, 1996

Mr. Chairman, and distinguished members of the Subcommittee, I want to thank you for holding this hearing on the Central Arizona Project (CAP). Meeting in this manner has become a yearly ritual. But as we all know, it is rite that every Arizonan cherishes, particularly those of us present today.

Before I begin my comments about the CAP, I want to take a moment to thank the Chairman of this subcommittee, my good friends John Myers, and the ranking minority member Tom Bevill, for everything you've done on behalf of Arizona and its citizens -- both current and future. Without your guidance, support, and belief that the improbable was possible, Arizonans wouldn't be drinking Colorado River water. Through your efforts and those of many of the people in this room, central and southern Arizona is assured of a reliable source of drinking water -- the most basic, yet precious of resources. Like a good friend, we will miss you. Rest assured, however, that we will never forget you.

Mr. Chairman, this subcommittee has been very supportive of the Central Arizona Project. Although we do not have the benefit of knowing how much money the President will request for the CAP in fiscal year 1997, I am confident that your support will not wane. I know all to well the dilemma we face when confronted with the prospect of reducing federal spending. Government spending must be curbed. But the Central Arizona Project is a unique undertaking. It always has been. The overall level of federal funds going to the Project is diminishing with each passing year. I expect funding for fiscal year 1997 will continue this trend. Within this certainty, however, it is important that the remaining work related to the CAP receive funding to assure its completion. It is imperative that we not stop now that we are so close to completion. In particular, we must give special attention to the final phase -- the Tucson terminal storage project.

Mr. Grady Gammage, the President of the Board of Directors of the Central Arizona Water Conservation District (CAWCD) -- the Arizona governmental body that was created to operate the CAP and repay its reimbursable costs -- will make you aware of problems that have arisen. I do not wish to belabor these points, but clearly, in some instances federal agencies have created stumbling blocks rather than solutions to existing problems.

For instance, the Fish and Wildlife Service's (FWS) biological opinion on CAP operations is inexplicable. The FWS concluded that the operation of the CAP jeopardizes endangered native fish in the Gila River Basin. This conclusion is based upon the belief that non-native fish will escape from the CAP system, travel hundreds of miles over dry river beds, hurdle dams, and ultimately make their way to the habitat of native fish. To mitigate the perceived impact of CAP water deliveries on native fish, the FWS proposed that CAWCD, and Arizona taxpayers and water users, pay a total of $500,000 a year for 25 years. What is so ludicrous about this proposal is that the biological opinion doesn't take into consideration the fact that for several years the FWS and other resource management agencies intentionally stocked millions of non-native fish throughout Arizona's streams and reservoirs. It is these agencies who have threatened Arizona's native fish population, and Arizonans and the CAP should not, and will not, be held hostage by this heavy-handed tactic. I hope this subcommittee will seek to vitiate the jeopardy opinion and direct the Bureau and the FWS to re-initiate the consultation process and consider information provided by CAWCD. We need to inject fairness into the process. But perhaps more importantly, final decisions must be based upon all available information.

Another issue of concern is the recent position taken by the Bureau regarding its responsibility to correct construction defects and deficiencies. When the Bureau declared the CAP water system complete in 1993, it presented CAWCD with a list of construction deficiencies. At the time, the Bureau pledged to correct these defects because it was responsible for completing unfinished CAP features. But the Bureau has now taken the position that it is no longer responsible. It may become necessary for Congress to remind the Bureau of its legal obligations; I would like to work with you in bringing about a resolution of this issue.

Mr. Chairman, an issue that is vital to Southern Arizona is the Tucson terminal storage project. Last year, this subcommittee allocated $5.8 million to ensure delivery reliability through the construction of a storage reservoir. Of the total amount reserved for terminal storage, $3 million was specifically earmarked for land acquisition. The remainder -- $2.8 million -- was to be used for project development and to begin work on the environmental impact statement (EIS). The National Environmental Policy Act (NEPA) process was initiated and preliminary work on the EIS was conducted. However, 1995 elections in Tucson produced a result which has halted this very important project.

At last November's election voters approved a measure -- Proposition 200 -- which places restrictions on how water, including CAP water, may be utilized in the community. The Bureau of Reclamation has interpreted the adoption of this measure to mean that Tucson is ~~precluded~~ prohibited from direct use of CAP water. In fact, the Bureau recently informed Tucson Mayor George Miller that "with the passage of Proposition 200, and in light of Tucson's current plans for taking and using CAP water, we have decided to suspend further work on the study and EIS."

Mr. Chairman, the passage of Proposition 200 should not be used to deliver the death blow to the terminal storage project. Despite the water use limitations included in the measure, the initiative gave full support to using Tucson's CAP water allotment -- 148,420 acre feet per year -- in other ways, including direct use in the municipal system provided specific quality standards are met. The Mayor and City Council are working toward adopting a program for enhanced treatment of CAP water which would improve water quality, an effort undertaken to meet the standards approved by voters. In view of this information, I feel very strongly that this subcommittee should provide whatever funding is required by the Bureau to continue the EIS and NEPA process. Furthermore, I would like to request that the subcommittee include report language in the FY97 Energy and Water Appropriations bill which directs the Bureau to resume and complete the study and EIS, requires them to commence work on the final EIS, and which calls for the Bureau to begin the design phase of the project in a timely basis.

I also want to bring to your attention a matter concerning FY96 funding for terminal storage. As previously stated, $2.8 million was set aside for costs associated with the development of the terminal storage project. ~~However,~~ Bureau officials informed my staff that as of January 31, 1996, expenditures associated with terminal storage totalled just under $91,000. This apparently would leave the project with a balance of over $2.7 million. But the Bureau claims that only $800,000 is available for FY96, because the bulk of the appropriated funds was reprogrammed. I agree that the Bureau has authority to shift funds within the CAP program. If, however, these funds were reprogrammed to an entirely different project than originally intended in the legislation, this subcommittee should have been consulted. Certainly, the Bureau should not divert scarce resources intended for terminal storage without the committee's approval, when the completion of this final leg of the Project is so critical to the future water needs of southern Arizona.

In closing, I again want to thank my colleagues and friends, John Myers and Tom Bevill, for their tireless efforts on behalf of this nation. Arizona cannot thank you enough for your support of the Central Arizona Project. It has been a pleasure working with you and I look forward to the day when we complete this incredible program. Again, thank you.

WEDNESDAY, MARCH 6, 1996.

CENTRAL ARIZONA PROJECT

WITNESS

HON. ED PASTOR, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA

Mr. PASTOR. Mr. Chairman, I will also be brief. I would like to submit my full testimony for the record.

Thank you, Mr. Chairman, once again, for allowing me to appear before the subcommittee this afternoon in support of the Central Arizona Project and other important water-related projects in Arizona.

We will have other members of the Arizona delegation with us, and we have been joined by Congressman Salmon as well as those who will be delivering testimony today: Mary Thomas, Governor of the Gila River Indian Community; George Miller, Mayor of Tucson; Rita Pearson, Director of the Arizona Department of Water Resources; Grady Gammage, President of the Board of Directors of the Central Arizona Water Conservation District; and Buck O'Rielly, President of the Tucson Regional Water Council.

Mr. Chairman, this year is a noteworthy year for the State of Arizona. 1996 marks the 25th anniversary of the Central Arizona Water Conservation District as well as the 50th anniversary of the Central Arizona Project Association. Sadly, as Congressman Kolbe mentioned, this year also marks the departure of two long-time supporters of the CAP and other Arizona water interests.

Mr. Chairman, your and Mr. Bevill's presence will certainly be missed when Arizona makes its annual pilgrimage before the subcommittee next year. Upon your retirement, Arizona will be losing two good friends, and I know I speak for the entire State when I express my gratitude for your commitment to the CAP and other water projects over the past two decades.

On a personal note, Mr. Chairman, I want to thank you for the friendship you have extended to me while I served on this subcommittee, and also Mr. Bevill.

Mr. Chairman, though the administration did not yet submit its budget request for fiscal year 1995, it is my expectation that the proposed budget for the Bureau of Reclamation will meet the construction, operation, maintenance and replacement needs of the CAP and the Safety of Dams program for the upcoming fiscal year. I am here to support this forthcoming request, as well as the testimonies of the people that will be speaking for you on the Arizona project and other water projects.

Mr. Chairman, in my written testimony, I have included detail on Corps of Engineers and Bureau of Reclamation projects.

I will turn it back to my colleague, Mr. Kolbe.

Mr. KOLBE. Thank you, Congressman Pastor.

[The statement of Mr. Pastor follows:]

STATEMENT OF THE HONORABLE ED PASTOR
ARIZONA - SECOND DISTRICT
before the
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
Committee on Appropriations

March 6, 1996

Thank you Mr. Chairman and Mr. Bevill for, once again, allowing me to appear before the Subcommittee today in support of the Central Arizona Project (CAP) and other important water-related projects in Arizona. I would like to acknowledge the other members of the Arizona Congressional delegation who are here, as well as those who will be delivering testimony today: Mary Thomas, Governor of the Gila River Indian Community; George Miller, Mayor of Tucson; Rita Pearson, Director of the Arizona Department of Water Resources; Grady Gammage, President of the Board of Directors of the Central Arizona Water Conservation District; and Buck O'Reilly, President of Tucson Regional Water Council.

This is a noteworthy year for the State of Arizona. 1996 marks the 25th anniversary of the Central Arizona Water Conservation District (CAWCD), as well as the 50th anniversary of the Central Arizona Project Association. Sadly, this year also marks the departure of two longtime supporters of the Central Arizona Project (CAP) and other Arizona water interests. Mr. Chairman, your and Mr. Bevill's presence will certainly be missed when Arizona makes its annual pilgrimage before this Subcommittee next year. Upon your retirements, Arizona will be losing two good friends, and I know I speak for the entire State when I express my gratitude for your commitment to the CAP and other Arizona water projects over the past two decades.

Mr. Chairman, though the Administration has not yet submitted its budget request for FY 1997, it is my expectation that the proposed budget for the Bureau of Reclamation will meet the construction, operation, maintenance, and replacement needs of the CAP and the Safety of Dams program for the upcoming fiscal year. I am here to support this forthcoming request, as well as the testimonies of the State of Arizona, the Gila River Indian Community, the City of Tucson, and the Tucson Regional Water Council, as well as the testimony that the City of Phoenix gave last week.

As you may know, the CAWCD and the Department of Interior have both filed law suits over disputes regarding the CAWCD's construction cost repayment obligation for the CAP; the United States' obligation for annual CAP operation, maintenance, and replacements costs; the responsibility for the correction of defects and deficiencies in the Project; and the use of revenues from the sale of project power. Despite this unfortunate impasse, the CAP still remains Arizona's most important water project and is essential to the State's future. I would like, therefore, to highlight some important requests that others will elaborate on.

CAP Indian Distribution and Delivery Systems

First, I want to emphasize my strong support for full funding of CAP Indian water delivery and distribution systems. Ten Arizona Indian tribes have contracted with the U.S. government for delivery of CAP water, yet only one - the Ak-Chin Indian Community - is actually receiving the water. Indian contractors will be receiving almost half of the CAP water, and the construction of these distribution and delivery systems is long overdue. These systems must be built in order for Arizona to fully realize the intended benefits of the CAP.

Tucson Terminal Storage

I am sure you are aware of a ballot initiative that was passed by the City of Tucson voters last November to restrict the direct delivery of CAP water until it can meet certain standards. Proposition 200 was a setback for Tucson's efforts to fully utilize its CAP allocation. I can assure you, however, that the City is fully committed to direct delivery of CAP water and is actively pursuing this goal. In this regard, the need for a terminal storage facility in southern Arizona has not been diminished. In recognition of the limitations that Proposition 200 has temporarily placed on Tucson, a budget request between $500,000 and $1 million is expected to be submitted by the Administration for terminal storage work. The Subcommittee has been very supportive of terminal storage in the past, and I hope that support will extend into FY 1997 with full funding of the anticipated appropriations request.

U.S. Fish and Wildlife Service Jeopardy Opinion on the CAP

On April 20, 1994, the U.S. Fish and Wildlife Service (USFWS) issued a biological opinion on the CAP. The opinion concluded that the continued transportation and delivery of CAP water jeopardizes endangered fish and adversely modifies critical habitat in the Gila River basin. The reasonable and prudent alternatives (RPAs) outlined in the opinion are estimated to cost $150 million over the life of the CAP.

Mr. Chairman, the CAWCD was not permitted to participate in the consultations between the Bureau of Reclamation and the USFWS on the opinion, and critical information was therefore not able to be presented. The CAWCD has given a report to the Bureau and the USFWS and requests that the Bureau be prohibited from spending any money to implement any provisions of the opinion until consultations are reopened and the biological opinion is reconsidered in light of the CAWCD report. Given the considerable cost of the biological opinion and the strong evidence the CAWCD has presented against its findings, I believe this request is the most prudent course of action, and I ask the Subcommittee to give it favorable consideration.

Bureau of Reclamation NEPA Review of CAP Subcontracts

Recently, the Bureau of Reclamation announced that CAP subcontractors must prepare environmental assessments under the National Environmental Policy Act (NEPA) before the transfer of CAP entitlements will be approved. Simply put, Mr. Chairman, this decision is inconsistent with the law, would result in redundant work being performed, and would seriously hamper the CAWCD's ability to manage its CAP water supply. I am asking, along with the CAWCD, that the Subcommittee prevent the Bureau from expending funds to implement this misguided policy. I have submitted for the record an excellent legal memorandum that clearly explains why the policy is inconsistent with the law and Bureau precedents and policies.

There are also a number of ongoing Army Corps of Engineers and Bureau of Reclamation projects in Arizona that I expect to be included in the Administration's budget request and would ask for the Subcommittee's continued support of these important initiatives.

The Rillito River Bank Protection Project, located in Pima County, Arizona, is in its final year of construction. Approximately $4.275 million is needed to complete this vital flood control project.

The Tucson Drainage Area Flood Control Project (also known as the Arroyo Chico project), located in Pima County, Arizona, is prepared to move from the feasibility stage to planning, engineering, and design (PED) phase. Approximately $500,000 is need to complete the PED work in FY 1997.

The Gila River and Tributaries, Santa Cruz River Basin Study will an additional $100,000 in FY 1997 to continue work on the feasibility study.

The Rio Salado Project, located in Phoenix and Tempe, Arizona, is anticipated to require $500,000 in FY 1997 to continue work on the feasibility study. I also ask that the Subcommittee consider the following language regarding the Rio Salado project:

> The Committee has included $500,000 to continue work on an expedited basis on the Rio Salado feasibility study in cooperation with the cities of Phoenix and Tempe. The Committee directs that the Corps accelerate work on the study to the extent possible in order to allow completion of the study by the start of FY 1998.

The Tortolita Drainage Area Project, located in Pima County, Arizona, will have its reconnaissance study completed in FY 1996. Approximately $200,000 will be needed in FY 1997 to initiate the feasibility study for this project.

Metropolitan Phoenix Water Reclamation Program (Tres Rios Constructed Wetlands Project) (Bureau)

Under Section 1608 of P.L. 102-575, the Subcommittee has provided funds in past years to the Bureau of Reclamation to provide the federal share of a demonstration project and the development of the design, construction, and operation criteria for engineered wetlands using reclaimed water from a multi-city wastewater treatment plant located in Phoenix, Arizona. Both the studies and the demonstration project have shown that constructed wetlands using highly treated effluent would provide a cost-effective and environmentally desirable way to provide wastewater treatment and meet federal Clean Water Act guidelines.

I am seeking an additional $1 million for the Bureau of Reclamation to begin the design and construction of this innovative and environmentally beneficial project, as well as the following report language:

> The Committee has included and additional $1,000,000 to continue work on the Phoenix Metropolitan Water Reclamation Program (Tres Rios Project) authorized pursuant to Section 1608 of Public Law 102-575.

There are also new projects important to Arizona and my District that I believe merit the support of the Subcommittee.

Sky Harbor Wetlands Technology Evaluation Project (Corps)

This project, undertaken under the authority of Section 307(d) of the Water Resources Development Act of 1990 (WRDA '90), would provide important information and data on wetlands habitat restoration in arid areas, such as the desert Southwest. In addition, the project would furnish much-needed information to airports around the country which are experiencing serious safety problems caused by nesting birds located in nearby wetlands.

Finally, the development of wetlands in the Salt River in this area would further contribute to the environmental revitalization of the River and complement the work of the Corps on the Rio Salado project. I am requesting $1.5 million in construction funds in the Corps' budget for the project and the following report language:

> The Committee has included $1,500,000 to fund an evaluation of wetlands creation technology in Phoenix, Arizona on property provided by the city adjacent to the Sky Harbor International Airport. The project would be undertaken in cooperation with the Rio Salado feasibility study and under authority of Section 307(d) of the Water Resources Development Act of 1990 which authorizes a demonstration program for determining the feasibility of wetlands restoration, enhancement, and creation as a means of contributing to the goal of no net loss of wetlands. The project would not only evaluate the opportunities to restore and create wetlands in a largely dry river bed, but also examine opportunities for wetlands habitat development and management adjacent to a major airport to minimize any adverse impact of fish and wildlife resources on airport operations.

Tres Rios Flood Control Project (Corps)

The Bureau of Reclamation's work on the Tres Rios constructed wetlands project involves and important flood control feature. I request that $300,000 in General Investigations funds be made available to the Corps, under Section 321 of WRDA '92 for this important feature of the project. I also request that the following report language be included:

> The Committee has included $300,000 to allow the Corps to participate in the flood control aspects of the Phoenix Metropolitan Water Reclamation Program (Tres Rios constructed wetlands project) being developed by the Bureau of Reclamation in cooperation with the cities of Phoenix, Tempe, Mesa, Glendale, and Scottsdale. The Corps' participation in the project is authorized under Section 321 of the Water Resources Development Act of 1992. Specifically, the Corps would be responsible for the planning, design, and construction of flood damage reduction features of the project, including channel clearing within the floodway to protect the constructed wetlands project, and levee construction to provide a 100-year level of protection for surrounding residential properties near the confluence of the Salt and Gila Rivers. Flood damage reduction features needed to protect the constructed wetlands project shall be considered an environmental restoration output to be evaluated over the life of the project. Additional flood damage reduction to protect residential properties shall be evaluated as a last added element to the project's environmental restoration features.

Arizona Flood Control Study (Corps)

The State of Arizona experienced devastating flood events in January and February of 1993. The statewide extent of the flood and the resultant damage prompted a Presidential Disaster Declaration and Congressional approval of a priority study - the Arizona Flood Control Study - in the FY 1993 Emergency Supplemental Appropriations Act (P.L. 103-50).

The Arizona Flood Control Study determined that a federal interest in an economically justified statewide flood warning system does exist. The reconnaissance report, dated September 1994, recommended that the project proceed directly to Preconstruction Engineering and Design (PED) under Section 205 of the Continuing Authorities Program. The Arizona Department of Water Resources has secured the necessary state legislation and funding to participate with the Corps as the local sponsor for the project and has been prepared to sign a cost-sharing agreement since July of 1995.

Unfortunately, the Corps has informed both myself and the State that there is insufficient funding for this vital flood control project. I, therefore, request an additional $250,000 for the Corps' Section 205 program so that this long-overdue flood control project can proceed with the necessary PED work. I have included the following report language to accompany this request:

> The Secretary of the Army is directed to complete Preconstruction Engineering and Design plans for the Arizona Statewide Flood Warning System, in accordance with the recommendations and generally described in the Report, "Arizona Flood Control Study," dated September 30, 1996. Funds of $250,000 have been provided to the Continuing Authorities program.

Department of Energy

Finally, Mr. Chairman I also ask that the Subcommittee continue to support appropriations for the Uranium Enrichment Decontamination and Decommissioning (D&D) fund established under Title XI of the Energy Policy Act of 1992 (P.L. 102-486). In particular, I am supportive of the program for reimbursement of claims made by active uranium and thorium mill site licensees for the portion of their remediation costs for tailings attributed to sales made to the Federal government. Authorization for this reimbursement is in Title X of P.L. 102-486.

The D&D fund and the tailings reimbursement provisions have broad based support among a vast array of organizations, and I urge the Subcommittee to fully fund these important environmental remediation programs.

Finally, I express my full support for increased appropriations for renewable energy and alternative fuels. Solar, wind, and geothermal energy hold great promise for being an important part of our nation's energy mix, and I believe it is in our national interest to see that these industries succeed. As cities across the nation attempt to improve their air quality, emphasis is being placed on reducing harmful emissions from automobiles. Increased funding for alternative fuels will help these efforts to make our nation's air cleaner.

Mr. Chairman, I know that this year you will have a particularly difficult task in formulating the budget for the Department of Energy, the Bureau of Reclamation, the Corps of Engineers, and the other agencies under the purview of the Subcommittee. I thank you for the past support for the programs and projects you and the Subcommittee have provided, and I appreciate the opportunity to present to you these important requests.

WEDNESDAY, MARCH 6, 1996.

CENTRAL ARIZONA PROJECT

WITNESS

HON. MATT SALMON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA

Mr. KOLBE. I would also like to note that Congressman Salmon has joined us here; and, Matt, did you want to say a word before we call on our witnesses here that are going to present?

Mr. SALMON. Just a quick word.

Thank you very much, Mr. Chairman. You gave a wonderful speech at lunch. Both you and Mr. Bevill are a credit to Arizona. In fact, we will make you honorary members of our delegation, if you would like to do so.

Mr. MYERS. We can accept that.

Mr. SALMON. Thank you. And all the amenities and golf privileges that come with it. Right?

Mr. MYERS. Fine.

Mr. SALMON. Listen, I just want to tell you how much we appreciate the support. The Central Arizona Project really is the life blood of Arizona. In fact, we have a saying in Arizona that whiskey is for drinking and water is for fighting.

Frankly, this is just very, very important to us, and it drives our economy. Our economy is doing very, very well. But we need to continue in the direction of John Rhodes, who created this in the first place, and the tremendous leaders since him that have maintained our level of support from the Federal Government.

I thank you for the opportunity.

Mr. MYERS. Thank you, Matt.

WEDNESDAY, MARCH 6, 1996.

CENTRAL ARIZONA PROJECT

WITNESS

HON. J.D. HAYWORTH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA

Mr. KOLBE. We have also been joined by Congressman J.D. Hayworth.

Mr. MYERS. The quiet one.

Mr. HAYWORTH. Well, Mr. Chairman, in deference to your years of experience and to the wise advice I have received from members of this committee's staff, I realize that brevity is the soul of wit. I would simply try to be witty by being incredibly brief and ask unanimous consent that my remarks be submitted for the record.

Mr. MYERS. Without objection.

Mr. HAYWORTH. Sir, I would just simply like to say, in closing, thanks to you and to the Ranking Member of this subcommittee. You gentlemen have proven to be the very spirit of bipartisan cooperation, and I thank you for the efforts you have made over the years. It has been an honor to serve with you, and thank you very much.

Mr. MYERS. Likewise, J.D. Thank you.

Mr. KOLBE. Thank you.

[The statement of Mr. Hayworth follows:]

STATEMENT OF THE
HONORABLE J.D. HAYWORTH
BEFORE THE SUBCOMMITTEE ON
ENERGY AND WATER DEVELOPMENT
OF THE COMMITTEE ON APPROPRIATIONS
MARCH 6, 1996

Mr. Chairman, I am grateful once again for the opportunity to testify before your subcommittee on behalf of water projects critical to Arizona. As you noted at last year's hearing, I am a new Member of Congress. I have been here long enough to know, however, that the outstanding leadership you and Representative Bevill have provided on this committee will be sorely missed.

As members of this committee are well aware, the Central Arizona Project (CAP) is essential to meeting Arizona's water supply needs. Credit for the success of CAP, thus far, is owed in large part to consistent levels of congressional appropriations. I endorse the funding request for CAP presented by the Central Arizona Water Conservation District.

I would also like to request the committee's support for two Army Corps of Engineer projects important to my district. First, I would ask that the committee provide $300,000 to continue the feasibility phase for the North Scottsdale Drainage, Gila River and Tributaries flood control project.

Second, I am requesting that the committee provide $500,000 to complete a reconnaissance study for the Rio de Flag floodplain in Flagstaff, Arizona. The residents of Flagstaff, Arizona are grateful for the $200,000 provided by the committee last year to initiate this study. The Corps anticipates beginning this study this spring. As you will recall, as a result of the Federal Emergency Management Agency designating much of Flagstaff's downtown and southside areas as a Special Flood Hazard Area, Flagstaff is prevented from moving forward with new development or important redevelopment projects. The city of Flagstaff is aware of the cost-sharing requirements associated with planning and constructing this project and is a willing partner.

Again Mr. Chairman, I want to thank you and Representative Bevill for all of the support you have given Arizona over the years.

WEDNESDAY, MARCH 6, 1996.

CENTRAL ARIZONA PROJECT

WITNESSES

MARY THOMAS, GOVERNOR OF THE GILA RIVER INDIAN COMMUNITY
GEORGE MILLER, MAYOR OF TUCSON
RITA PEARSON, DIRECTOR OF THE ARIZONA DEPARTMENT OF WATER RESOURCES
GRADY GAMMAGE, PRESIDENT OF THE BOARD OF DIRECTORS OF THE CENTRAL ARIZONA WATER CONSERVATION DISTRICT
BUCK O'RIELLY, PRESIDENT OF THE TUCSON REGIONAL WATER COUNCIL

Mr. KOLBE. Mr. Chairman, now if I could ask my colleagues to shift down, we will invite up here to the table those who will be making presentations on the—on behalf of the CAWCD and the Central Arizona Project.

First, we will hear from Rita Pearson, Director of the Arizona Department of Water Resources—I will just introduce all of them, and they will go in direct order here—followed by Grady Gammage, the President of the Central Arizona Water Conservation District; Honorable George Miller, the Mayor of the City of Tucson; Mary Thomas, the Governor of the Gila River Indian Community; and Buck O'Rielly, President of the Tucson Regional Water Council. They are already here.

Mr. MYERS. We will be pleased to hear from you. Thank you.

Ms. PEARSON. Thank you. Mr. Chairman, thank you for the opportunity to appear before you on behalf of Governor Symington to discuss the appropriations for water and energy projects that affect the State of Arizona.

But before I begin the State's testimony I would like to extend a special note of gratitude to you, Mr. Myers, and to you, Congressman Bevill, for your unwavering commitment to the Central Arizona Project and the citizens of Arizona who are so directly dependent upon that water supply.

My comments to you today will be brief. I have detailed written testimony that I would like to submit to you here today. In addition, I would like to submit the testimony of Mr. Bill Schrader, who is President of the Salt River Project, if that would please you.

I would also like to acknowledge the presence of the President of the Central Arizona Water Conservation District, Grady Gammage, Mayor Miller of Tucson and Governor Thomas of the Gila River Community, as well as Mr. Buck O'Rielly, who is President of the Tucson Regional Water Council.

Let me begin by stating that the appropriations under consideration by this subcommittee are of vital importance to the State of Arizona. Construction of water supply and flood control facilities are essential to support the population growth and economic development now occurring at a very rapid pace across the State of Arizona.

The Central Arizona Project continues to be the highest priority water supply project in Arizona. Since taking effect, Governor Symington has worked to enable Arizona to better utilize the water supplies developed and delivered by the Central Arizona Project. In

1993, he created the Governor's CAP advisory committee to find real solutions to the complex issues facing the CAP.

This effort resulted in several legislative measures that support the CAP, but the most ambitious work is yet to be done. Over the past year, Arizona's leadership has worked to craft a plan to maximize the long-term benefits of the water supply delivered by the Central Arizona project.

Governor Symington is a strong supporter of legislation now before the Arizona legislature that accomplishes this goal by replenishing the State's aquifers that are severely depleted by long-term overdrafting and replacing those supplies with Colorado River water through a groundwater replenishment program.

This legislation will enable Arizona to meet many of its future water supply challenges by providing the opportunity to do the following: secure a stored reserve of water for use when drought on the Colorado occurs and reduces the CAP supplies to our municipalities and to our farming communities; enhance our ability to meet the State's water management goals; and assist with the settlement of Indian tribal claims to water within Arizona. In addition, the legislation provides a mechanism that may facilitate short-term interstate water transfers of Colorado River water to our neighbors in California and Nevada.

The legislation requires a significant financial commitment from the State's general fund and demonstrates a strong and united support in Arizona for the successful operation of the Central Arizona Project.

The success to date of the Central Arizona Project would not have been possible without consistent levels of congressional appropriations, which have allowed the Bureau of Reclamation to maintain its construction schedule. These appropriations have fulfilled the congressional commitment made to the CAP back in 1968, when the project was authorized, and renewed again in 1986, when a comprehensive cost-sharing agreement was executed among several entities in Arizona and with the U.S. Department of Interior. We appreciate your past support, and we hope you will look favorably on the CAP-related activities that continue to require Federal funding, including a terminal storage facility in Tucson.

The written testimony I am submitting to you today asks for this subcommittee's continued support of funding to make dam safety modifications on dams upstream from Phoenix on the Salt and the Verde River systems. It is important that this work be completed to assure the safety of Roosevelt Dam and others and to provide needed water conservation and flood control storage for CAP and the Central Arizona Project, where more than 2 million people live in central and southern Arizona.

The Bureau of Reclamation has a number of other projects in Arizona; and although they are smaller than the CAP or Safety of Dams, they are no less important. Governor Symington urges your support of all Bureau projects in Arizona.

In addition, the Army Corps of Engineers has a number of projects, including funding for continued construction on Clifton, Rillito River and Tucson drainage flood control projects. In recent years, Arizona has experienced devastating floods. There are certain to be more floods in the future. For this reason, it is important to continue to have an active flood control program in the State. The projects under way by the Army Corps of Engineers will add significantly to our flood control capabilities.

Mr. Chairman, the testimony that I bring to you today is a joint effort of many interests in central and southern Arizona who support the Central Arizona Project. On behalf of Governor Symington, I thank this subcommittee for the opportunity to appear before you and for your continuing support of water resource development projects in Arizona. Thank you.

Mr. MYERS. Thank you. Please remember Tom and me to the Governor, please.

Ms. PEARSON. I will. Thank you.

[The statements of Governor Symington and Mr. Schrader follow:]

STATEMENT OF
THE
STATE OF ARIZONA
BEFORE THE
HOUSE COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

SUBMITTED BY:

GOVERNOR FIFE SYMINGTON

STATE OF ARIZONA

MARCH 6, 1996

IN SUPPORT OF FISCAL YEAR 1997 APPROPRIATIONS
FOR
THE BUREAU OF RECLAMATION FOR THE CENTRAL ARIZONA PROJECT
INCLUDING SAFETY OF DAMS FEATURES,
COLORADO RIVER BASIN SALINITY CONTROL PROGRAM,
AND OTHER WATER RELATED PROJECTS AND PROGRAMS
AND FOR
CORPS OF ENGINEERS FLOOD CONTROL PROJECTS IN ARIZONA

This testimony submitted on behalf of the people of the State of Arizona asks for continued support of funding for the various water related projects and programs which affect the State. Construction projects underway by the Bureau of Reclamation include: the Central Arizona Project; safety of dams work; and the Colorado River Basin Salinity Control Program. Construction projects by the Corps of Engineers include the Clifton, Rillito River and Tucson Drainage Flood Control Projects. Additionally, the testimony addresses the various planning and operation and maintenance programs by both the Bureau of Reclamation and Corps of Engineers.

Because the President has not yet released a proposed budget for Fiscal Year 1997, Arizona has not had the opportunity to review specific funding recommendations. This testimony supports appropriation levels that adequately fund the projects and programs within Arizona under consideration by this Subcommittee. Arizona wishes to reserve the right to supplement this testimony after we have had the opportunity to review the President's budget.

CENTRAL ARIZONA PROJECT

The Central Arizona Project (CAP) continues to be the highest priority water supply project in Arizona. The importance of this project for the future of the State of Arizona cannot be overstated. The reliable delivery of Colorado River water to users in central and southern Arizona is essential to meet the demands of an ever increasing population.

There has been some very significant activity related to the Central Arizona Project since I appeared before this Subcommittee last year. As I have reported to you before, in 1993 I appointed the 34 member Governor's Central Arizona Project Advisory Committee to investigate methods that will enable Arizona to better utilize its CAP supplies. The Committee made several recommendations for action addressing a variety of issues facing the CAP. Last year I informed you that the Arizona Legislature had passed some of these measures, and I signed them into law. However, one of the most ambitious of the Committee's recommendations, a suggestion to replenish Arizona's depleted aquifers with water delivered by the CAP, had not yet been brought before the Legislature. Over the past year Arizona's leaders have worked to craft a plan that would bring this idea to fruition.

I am pleased to report to you today that vital legislation has been introduced in the Arizona Legislature with my strong support which establishes a mechanism to increase groundwater recharge of CAP delivered water. This legislation will enable Arizona to meet many of its long-term water policy challenges by providing the opportunity to do the following: firm-up CAP water supplies by storing water for use when drought on the Colorado River reduces supplies delivered by the CAP, enhance our ability to meet our water management goals, and assist with the settlement of Indian tribe claims to water rights in Arizona.

In addition, the legislation provides a mechanism that can be used to facilitate short-term interstate water transfers with California and Nevada. This action may assist these states to meet their interim water needs while enhancing groundwater storage within Arizona.

Though it is still under consideration, the legislation is widely recognized as promoting the best interests of the State. This legislation demonstrates the strong united support in Arizona for the successful operation of the Central Arizona Project and full utilization of our Colorado River entitlement.

The success of the Central Arizona Project would not have been possible without consistent levels of Congressional appropriations which have allowed the Bureau of Reclamation to maintain its construction. schedule for the Project. These appropriations have fulfilled the Congressional commitment made in 1968 when the Central Arizona Project was authorized and renewed in 1986 when a comprehensive cost sharing agreement was executed among several entities in Arizona and the U.S. Department of the Interior. We appreciate your past support, and we hope you will look favorably on the CAP related activities that continue to require funding.

Arizona hopes to see a FY 1997 appropriation from the Lower Colorado River Basin Development fund for Central Arizona Project facilities of about $72,000,000. These funds will support construction activity principally focused in six areas: continued work on the damaged siphons, awarding facility relocations and site improvement contracts for Waddell Dam, close out work on enlarged Roosevelt Dam, continued studies associated with the Tucson aqueduct, continued design and construction of Indian delivery systems, and the continued construction of sulfur dioxide scrubbers for the Navajo Generating Station.

The budget for the Hayden-Rhodes Division of the Central Arizona Project Aqueduct covers a number of activities. The most important activity is the continued replacement of siphons. The Central Arizona Project now provides water for a number of cities in central and southern Arizona. That supply must be reliable with a minimum chance of interruption. It is essential that faulty siphons on the aqueduct be replaced as soon as possible. In order to fund completion of existing contract closeouts and for administration of claims, the Bureau of Reclamation's budget should contain about $3,400,000. The Central Arizona Water Conservation District will fund the majority of the continuing siphon replacement work and expects to request federal reimbursement at a later date.

For the Regulatory Storage Division of the Central Arizona Project, the bulk of work will be on Roosevelt and New Waddell Dams. These two regulatory features require about $7,100,000 which will be used primarily for completion of contracts and, in the case of enlarged Roosevelt Dam, for the closeout of the prime contract for the dam. The funding estimate also includes money for relocation of facilities at New Waddell and recreational development at both New Waddell and Roosevelt. Completing these two regulatory dams as quickly as possible is important for safety of dams, water conservation and flood control.

The budget for the Indian water delivery and distribution system covers a number of ongoing projects intended to assure that these distribution systems are constructed so that Indian communities with contracts for Central Arizona Project water can put this renewable surface supply to use. One of the key water management objectives in Arizona is to put as much CAP water to use as possible. The Indian communities are major contractors of the supply and must be provided with the facilities to assure maximum use of this renewable water supply.

The Navajo Generating Station near Page, Arizona is an important feature of the Central Arizona Project. Approximately 24 percent of this power plant is dedicated to the Central Arizona

Project for the purpose of providing power to the 14 pumping stations along the three aqueducts on the Project. To meet visibility requirements of clean air standards, the Department of the Interior, the Environmental Protection Agency, the Salt River Project, the State of Arizona and the Grand Canyon Trust agreed that sulfur dioxide scrubbers, which reduce sulfur dioxide to less than 10% of what is allowable for most states, would be installed at the generating station. For FY 1997, the federal government's share of this effort is about $26,000,000.

Terminal storage is critical to the City of Tucson's ability to fully utilize its CAP supply. The City is committing significant resources to assure that CAP water will ultimately be directly delivered to a substantial portion of its service area. However, without terminal storage and the reliability that it will bring, Tucson cannot prudently invest in the enhanced treatment technology needed to allow for direct delivery of CAP water. As the City commits millions of its ratepayers' dollars to solve the CAP issues, I encourage this Subcommittee to continue to fund the Bureau's planning and environmental work related to terminal storage. We are requesting that approximately $500,000 be placed in the Bureau's budget to continue environmental processes for Tucson's CAP terminal storage.

SAFETY OF DAMS

We hope to see sufficient funding in the FY 1997 budget for the Bureau of Reclamation to continue construction activities for safety of dams work in Arizona. Three dams located on the Salt and Verde Rivers have safety deficiencies and are located upstream from the Phoenix metropolitan area where over two million Arizonans reside. The comprehensive Plan 6 Cost Sharing Agreement executed in 1986 provides that the Salt River Project will pay for a portion of the necessary repairs on these dams. Safety of dams construction work is scheduled for Horseshoe and Bartlett Dams on the Verde River. A total of about $3,400,000 should be budgeted for these two dams. Additionally, $5,000,000 is necessary to fund scheduled safety of dams work associated with the enlargement of Roosevelt Dam. The Salt River Project will contribute 15 percent of the cost for the safety of dams projects related to the three dams.

In addition to the work on the Salt and Verde River dams pursuant to the Plan 6 Cost Sharing Agreement, construction is scheduled to be completed on Coolidge Dam, a feature of the San Carlos Irrigation Project. This dam, which is owned and operated by the Bureau of Indian Affairs, has been identified as top priority among those in the United States needing repairs to insure the safety of the people and property below the dam. We would like to see $200,000 be budgeted for this effort.

It is essential that needed safety of dams funds be appropriated to ensure that construction is completed on time and concerns over the integrity of all of these structures can be eliminated.

OTHER BUREAU OF RECLAMATION PROJECTS

The Colorado River constitutes the largest source of long-term renewable surface water supplies available to the State of Arizona. With full use of the Central Arizona Project, the Colorado River will provide over 60 percent of Arizona's long-term water supply. Therefore, Arizona is very concerned about the future water quality of this essential supply and supports the Bureau of Reclamation's ongoing Colorado River water quality improvement program authorized under

Title II of the Colorado River Basin Salinity Control Act. Title II established a program to respond to salinity control needs of Colorado River water users in the United States in compliance with the Clean Water Act. This program is cost-shared, with the states providing 25 to 30 percent of the cost of project facilities and operation and maintenance costs.

Arizona and the other Colorado River basin states are concerned about receiving sufficient federal appropriations for the salinity control program. About $11,500,000 is needed to proceed with the plan of implementation, which will allow for compliance with established numeric criteria and associated water quality standards. Arizona also supports funding about $2,300,000 for the Yuma Desalting Plant Operation.

Arizona would appreciate the Bureau of Reclamation continuing its commitment to the conservation of endangered species in the Lower Colorado River region. Arizona urges continued appropriations for the Bureau of Reclamation's participation in the Lake Mohave *Native Fish Work Group* activities ($600,000), and other activities within Arizona for a total commitment of about $3,000,000. This figure does not include Endangered Species Act and other environmental programs funded under the Central Arizona Project.

Arizona requests continued appropriations for Bureau-wide funding ($1.5 million) of endangered species programs made available through the National Fish and Wildlife Foundation, particularly the cost-share funding of "interim conservation measures" under the *Lower Colorado River Multi-Species Conservation Program* (MSCP).

Arizona is pleased to note that the current MSCP effort is an excellent example of a cooperative endangered species effort, formalized in a Memorandum of Agreement, involving the States of Arizona, California, and Nevada, Lower Colorado River Indian Tribes, and the Bureau of Reclamation, U.S. Fish and Wildlife Service, National Park Service, and the Bureau of Land Management. The state-initiated MSCP is the direct result of the 1994 basin-wide critical habitat designation for four listed endangered fishes by the U.S. Fish and Wildlife Service. Because of its extensive responsibility for operation of the facilities on the River and the Secretary's authority to contract for uses of that supply, it is essential that the Bureau of Reclamation be a major participant in the continued development of the MSCP.

We are also requesting approximately $7,000,000 in federal funding for the Southern Arizona Water Rights Settlement Act. This funding will help the Tohono O'Odham Nation to take and use their CAP water. This funding will be used for bank stabilization of existing farms at San Xavier and to pay for delivery and distribution systems for new farms at Schuk Toak.

Our state's economic success and future prosperity are tied to the availability of water and the success of federal reclamation and water resources projects that this subcommittee has been so helpful in funding. These are massive projects that have altered the landscape and stimulated economic development in our state. Many of these projects are now nearing completion and we are looking more to fine tune the projects to address impacts resulting from redirecting and channelizing our water resources to promote economic growth.

For example, the City of Phoenix and the surrounding communities that participate in our Sub Regional Operations Group (SROG) are currently working with the Bureau of Reclamation to help restore a nine mile segment of the bed of the Salt River in the southwestern corner of the City. This project, called the Tres Rios Demonstration Project, is fully authorized and ready to move forward. It is a 50/50 match program where local sponsors will match half of the federal funding. We ask a minimum $500,000 of federal funding, which will allow continuation of the demonstration project. We would also support an additional $500,000 that would allow Phoenix to begin preparation for construction of the full scale project. In addition, we request $1,000,000 of Reclamation funding for the Phoenix Wastewater Reuse Program. This is a 25% federal and 75% local cost sharing program under Title 16 of Public Law 102-575. Local sponsors are willing to provide $3,000,000.

CORPS OF ENGINEERS PROJECTS

In addition to the activities of the Bureau of Reclamation, Arizona has several ongoing Corps of Engineers' projects. Arizona hopes that adequate funding is appropriated for continued construction of the Clifton and Rillito River flood control projects and a new construction start for the Tucson Drainage project. In addition, a 1994 study by the Corps recommended the creation of a statewide flood warning system. We request that funds be designated in the Corps' budget for this purpose.

In recent years, Arizona has experienced many devastating floods. It is clearly important for us to continue to have an active flood control program in the state. The projects underway by the Corps of Engineers will add significantly to our flood control capability. It is critical that the United States continue funding these essential projects.

In addition to the construction, operation and maintenance activities of the Corps of Engineers, general investigation studies must also continue to be funded. Studies necessary to be funded include the Alamo Lake study, the Rio Salado study, the North Scottsdale Drainage Area Study, Tortolita Drainage Area study, the Rio De Flag study and the Santa Cruz Basin study.

In cooperation with the City of Tempe, Phoenix is pursuing a long-term restoration of the Salt River basin near downtown Phoenix and Tempe. The Rio Salado project is currently in the feasibility phase and requires an additional $500,000 to keep the project on schedule in time to have a completed feasibility study by the spring of 1998. To assist in the completion of the feasibility study, we request that the Committee appropriate $1,500,000 under the Corps' Research and Development program. These funds will allow for the evaluation of wetlands creation technology adjacent to Sky Harbor Airport in order to demonstrate the City's ability to regenerate wetlands in an arid environment in a way that minimizes adverse impact on airport operations.

In summary, the State urges this Subcommittee's continued support for funding for water-related projects in Arizona. The Central Arizona Project with related safety of dams and Indian water distribution system needs is at the top of the State's list with a total request of about $87,000,000. Additionally, the budget for the Colorado River Basin Salinity Control Project must be continued. The Corps of Engineers' budget is also necessary for continued flood control activities in the state with an additional request of funding for six needed studies.

Thank you for your attention to these very important matters.

Testimony
On Appropriations for Fiscal Year 1997
Before the United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development

Mr. William P. Schrader

President

Salt River Project

March 6, 1996

Mr. Chairman:

My name is William Schrader. I am President of Salt River Project (SRP) located in Tempe, Arizona. SRP comprises both the Salt River Project Agricultural Improvement and Power District and the Salt River Valley Water Users' Association . I am pleased to have the opportunity to submit this testimony on SRP's behalf.

At the outset, I would like to acknowledge the significant contribution and leadership that has been provided for this Committee by Chairman John Myers and Ranking Minority Member Congressman Tom Bevill. Your support for these vital programs through the years has assured Arizonans a safe and quality water supply and has enhanced the quality of life for generations of Arizonans to come. We appreciate and thank you for your outstanding public service.

Founded in 1903, SRP is the oldest multi-purpose reclamation project in the United States. It is the nation's third-largest public power utility and Arizona's largest water supplier. SRP is proud of its role in contributing to central Arizona's robust economy and its outstanding quality of life.

Many of the programs, projects, and activities within this subcommittee's jurisdiction directly affect SRP, its water and power customers, and the State of Arizona.

Through the years, this subcommittee has helped guide the wise and safe development of our nation's water and power resources, including those located -- like SRP's -- in arid regions of the West.

Your vision and support have made possible many initiatives to create a habitable and prosperous desert Southwest. This subcommittee has been a key partner in the development of our region, and we thank you for your efforts and congratulate you on your accomplishments.

At SRP, we are keenly aware of the historic budgetary decisions confronting this Congress, and also of the pressing time constraints imposed upon your actions. As a result, I will restrict my testimony to the issues most critical to SRP, and respectfully seek your favorable consideration of each.

Safety of Dams

Of principal interest to SRP at this time is the appropriation for fiscal year 1997 for certain Safety of Dams projects managed by the Bureau of Reclamation.

The six reservoirs within the SRP water supply and delivery system are maintained not only to furnish water, but also to realize conservation, hydroelectric power, recreational value, and flood control.

As evidenced in 1995 by devastating floods in California and severe floods in Arizona, particularly in the Verde River Valley, the need for improved flood control and sound dam construction along America's urban water ways is imperative.

One way this goal is being realized is through the work of the Reclamation Safety of Dams Act. As authorized by the 1984 amendments to this Act, four of the six dams on the SRP system have undergone, or are now undergoing, modifications to strengthen the structures and, in some cases, improve their capacity to control floods.

I am pleased to report that modifications on two of the four dams on SRP's system are substantially complete. All modifications to Stewart Mountain Dam on the Salt River were completed in April 1992, and structural modifications to Horseshoe Dam on the Verde River were completed in January, 1995.

The projects for which I seek appropriations today -- Bartlett Dam and Theodore Roosevelt Dam -- are nearing completion after several years of construction. The rededication of Roosevelt Dam is scheduled for April 12, 1996. The modifications will substantially enhance the structural integrity of dams located on the SRP system. They will improve the physical security of the people, property, and natural resources of the Phoenix metropolitan area, as well as help ensure a safe and reliable surface water supply for the Valley of the Sun for generations to come. In the absence of the President's FY97 budget request, SRP supports an appropriation of up to $15,500,000 for a continuation of Plan 6 activities. Funding at these levels should be sufficient to allow the Safety of Dams construction work to proceed on schedule. SRP will continue to meet its cost-sharing commitment made pursuant to the Safety of Dams Act.

Indian Water Rights Settlements

Timely settlement of Arizona Indian water rights claims is crucial. Arizona's water planning processes and its economic development will be undermined by uncertainty until Indian water rights claims are finally settled. The economic strength and stability of Arizona, and every other state, are fundamental to the prosperity of this nation. SRP continues to work closely and cooperatively with several tribes, the State of Arizona and the Department of the Interior toward acceptable settlements. The Department should be encouraged to continue its leadership role in moving pending negotiations toward completion. Accordingly, SRP requests that the subcommittee recommend sufficient appropriations to achieve these objectives through the Indian Water Rights Program of the Bureau of Reclamation.

SRP also wishes to express its continued support for the Central Arizona Project (CAP). Arizonans understand that the CAP represents an important link to the state's future. Water is a scarce and precious resource in Arizona's desert climate, and the CAP could help realize the state's hopes for economic security and the preservation of our unique quality of life.

Navajo Generating Station

SRP is pleased to report that construction on the Navajo Generating Station's (NGS) sulfur dioxide scrubber project is proceeding on schedule and according to budget.

Four utilities and the Federal government -- through the Bureau of Reclamation -- have interests in NGS, which is located in Arizona on the Navajo Nation near the city of Page. The Bureau of Reclamation owns a 24 percent share of the plant. SRP serves as plant manager.

To meet clean air standards and promote increased visibility at the Grand Canyon National Park, the Bureau of Reclamation, the Environmental Protection Agency, the State of Arizona, SRP, and the Grand Canyon Trust agreed in 1991 that sulfur dioxide scrubbers would be installed at NGS.

SRP requests that, in accordance with the Navajo Project Participation Agreement, the subcommittee recommend $26,000,000, the full amount of the Federal government's share of NGS capital improvements. These funds will provide for the cost of installing the scrubbers and other necessary capital additions to NGS and associated transmission systems.

Conclusion

Mr. Chairman, in conclusion, SRP understands that the subcommittee faces serious budgetary constraints in FY97 and must make hard choices in allocating available resources among competing priorities. We have taken this into consideration in choosing to limit our testimony to just a few important issues.

It bears emphasis that these are the most critical appropriations needs of SRP at this time, and that these issues further national goals and policies and merit your favorable consideration.

Thank you for the opportunity to submit this testimony.

Mr. MYERS. I will be pleased to hear from you now.

Mr. GAMMAGE. Thank you.

Mr. Myers, Mr. Bevill, my name is Grady Gammage, Jr. I am the president of the Central Arizona Water Conservation District. It is indeed a pleasure to be here again and to thank both of you, as everyone else has, for your years of service to this project.

I have actually submitted two sets of written comments. The long version is five pages and the abbreviated version is four pages. This is evidence of the skillful editorial quality of our staff at the district, that they were able to get a page out of it.

Mr. MYERS. I wonder how long it is now.

Mr. GAMMAGE. I am trying, going to try and get it even much shorter than that. I just want to make a couple of brief points.

One issue is, why are you still needing to fund a project that was declared complete in 1993? And the answer is, it wasn't fully declared complete. There are still very significant things to be done.

The three most significant are the scrubbers at the Navajo generating station, which is part of the Clean Air Act compliance to clean up the air around the Grand Canyon and in the Four Corners region. That is something that needs to be funded.

Two is the regulatory storage component of the project, including Tucson terminal storage, which I know you are going to hear about the importance of to the City of Tucson, that needs still to be funded.

Three is that there are some serious construction defects, some of which we at the district are now curing with our own money, not with Federal funds, but we need Federal appropriations to fix. For example, the siphon switch was found to be defective just about the time the project was declared complete.

I want to highlight one other thing that is very important, in our judgment, that needs funding, and that is that while the distribution systems necessary to deliver water from the main CAP aqueduct to points of use have largely been completed for nonIndian water users, the construction of such distribution systems for Indian water users has seriously lagged. Our board and staff believe that the completion of those systems is long overdue, and we very strongly support Federal appropriations necessary to complete the CAP Indian distribution systems.

The last point I want to make is to mention something that, believe it or not, we would like you not to fund. I think this is probably the first time the CAP has come and said, don't pay for something. It deals with an area of environmental mitigation issues.

There is, as Congressman Kolbe noted in his testimony, a section 7 jeopardy opinion saying that the operation of the CAP canal jeopardizes endangered species in Arizona. We strongly disagree with that conclusion, but we have never really had a forum in which to participate with that conclusion, even though we are being asked through the repayment process to pay for the results of that conclusion.

We would prefer that you not fund any work done pursuant to that opinion until the jeopardy opinion is reopened, and we have a chance to participate and comment.

In addition, there are two areas in which the Federal Government Bureau of Reclamation has recently informed us NEPA—National Environment Policy Act—review of some of our operations will be necessary. We disagree with that conclusion as well and in our testimony highlight those areas which we would also request that you not fund at this time.

Thank you very much for the opportunity to be here and for your support for the project over the years.

Mr. MYERS. Thank you.

I should remind you that you have four minutes left. We have a very tight schedule so we have to maintain it.

Mr. BEVILL. Mr. Chairman, if I may take a couple of seconds here, you are talking to the two experts now on the snail darter so we can accommodate you.

Mr. GAMMAGE. Thank you, Mr. Bevill.

Mr. MYERS. We understand.

[The statement of Mr. Gammage follows:]

STATEMENT OF THE
CENTRAL ARIZONA WATER CONSERVATION DISTRICT
BEFORE THE
HOUSE COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

SUBMITTED BY
GRADY GAMMAGE, JR., PRESIDENT
BOARD OF DIRECTORS
MARCH 6, 1996

IN SUPPORT OF FISCAL YEAR 1997 APPROPRIATIONS
FOR
THE BUREAU OF RECLAMATION FOR THE CENTRAL ARIZONA PROJECT
AND SPECIFICALLY CONCERNING THE STATUS OF
REPAYMENT ISSUES REMAINING UNRESOLVED,
RECLAMATION EXPENDITURES FOR ENVIRONMENTAL ACTIVITIES,
AND RECLAMATION ACTIVITIES CONCERNING CAP SUBCONTRACTS

Mr. Chairman, I am pleased to present testimony on behalf of the Central Arizona Water Conservation District in support of appropriations for the Central Arizona Project.

The Central Arizona Project ("CAP" or the "Project") is Arizona's lifeline, bringing vitally needed Colorado River water to the thirsty cities, farms, and Indian communities of central and southern Arizona. Construction of the Project began in 1973, with ground breaking for the Mark Wilmer Pumping Plant on Lake Havasu, near Parker Dam. Now, more than 20 years later, construction is nearly complete. The vision of the men and women who worked so tirelessly to obtain congressional authorization of the Project, and of those who have supported Project construction so faithfully over the years since passage of the Colorado River Basin Project Act in 1968, is about to be fully realized. These men and women are owed a great debt of gratitude by this and future generations of Arizonans.

This year marks the 25th anniversary of the formation of the Central Arizona Water Conservation District ("CAWCD"), the Arizona governmental body formed to operate the Central Arizona Project and repay its reimbursable costs. It also marks the 50th anniversary of the founding of the Central Arizona Project Association. This alliance of civic and community leaders helped lobby for and win congressional approval of the Project and has steadfastly supported the Project and its funding over the years. This year will also record the completion of 30 years of service in the House by Representative John Myers, Chairman and formerly Ranking Minority Member of the Subcommittee on Energy and Water Development of the House Appropriations Committee, and the completion of 30 years of service in the House by Representative Tom Bevill, Ranking Minority Member and formerly Chairman of the Subcommittee on Energy and Water Development of the House Appropriations Committee. Both are staunch supporters and loyal friends of the Central Arizona Project. We wish to take this opportunity to express our deepest gratitude for their continued support of CAP.

Mr. Chairman, with certain key exceptions, we ask that Congress fully fund the construction, operation, maintenance, and replacement activities that the Bureau of Reclamation will seek appropriations for when the Administration submits its Fiscal Year 1997 Budget. The exceptions are as follows: (1) we ask you to prohibit Bureau expenditures in support of the 1994 Fish and Wildlife Service biological opinion on CAP operation until the Bureau and the Service complete reconsultation on the significant new information we have provided them; (2) we ask you to prohibit Bureau expenditures related to preparing a comprehensive biological assessment of all uses of CAP water in the Tucson area, as demanded by the Fish and Wildlife Service; and (3) we ask you to prohibit further Bureau activities under the National Environmental Policy Act related to proposed transfers of CAP water service subcontracts between non-Indian CAP water users.

The balance of my testimony will elaborate on these three issues and one other major area of concern. Despite these concerns, we have much to be thankful for, in particular our friends here and at home who have made the dream of the Project a reality. We also have much to be proud of. The backbone of the Project's water delivery system is finished. The Bureau of Reclamation declared the CAP aqueduct system complete in October, 1993. The Project's regulatory storage division, consisting of New Waddell and Modified Roosevelt Dams, is expected to be declared complete later this year. When water deliveries began in 1985, they totalled about 12,000 acre-feet. Last year the Project delivered almost 1 million acre-feet of Colorado River water, two-thirds of the Project's average annual water supply.

Little remains to be constructed, but what remains cannot be left unfinished. The essential work includes the completion of sulfur dioxide scrubbers at the Navajo Generating Station at Page, Arizona, the principal source of power for pumping CAP water. These pollution control facilities are being installed under the Clean Air Act for the purpose of protecting visibility in Grand Canyon National Park. Some work also remains on the regulatory storage division of the Project. Also to be finished are the distribution works necessary to carry CAP water from the main aqueduct system to Indian beneficiaries of the Project. A number of construction deficiencies must also be corrected in order to assure that reliable water deliveries can continue to be made to all Project water users. CAWCD supports the appropriations necessary to correct these deficiencies and to bring the Project fully to completion.

CAWCD began repaying its share of the Project's construction costs in 1993. To date, CAWCD has repaid about $140 million in Project construction costs through the use of its property taxes, water service charges, and power sales revenues pledged to repayment. In addition, CAWCD has contributed $175 million of its taxpayer-funded reserves toward up-front funding of Project construction costs. CAWCD became responsible for operating and maintaining the Project aqueduct system in 1993, and has hired and trained a staff of 400 skilled workers to do that job. This year and next, in addition to its ordinary operation and maintenance expenses, CAWCD will advance more than $27 million of its taxpayer reserves to replace and repair large underground siphons which are part of the CAP aqueduct system. Unfortunately, just before the Bureau declared the CAP aqueduct system complete, it found these Project features to be in a hopeless state of deterioration. The fact that they must now be repaired or replaced at substantial additional cost remains a major source of dispute between CAWCD and the Bureau of Reclamation.

The distribution systems necessary to deliver water from the main CAP aqueduct system to points of use have largely been completed for non-Indian water users. However, the construction of Indian distribution systems has seriously lagged. Ten Arizona Indian tribes have contracted directly with the United States for delivery of CAP water, and yet only one, the Ak-Chin Indian Community, is actually receiving Project water. CAWCD believes that completion of Indian distribution systems is long overdue. We have been told by Reclamation that such construction can be completed within the existing limits on CAP appropriations. Arizona's Native Americans deserve to receive delivery of their share of Project water. We therefore fully support federal appropriations necessary to complete CAP Indian distribution systems.

The significant accomplishments of the last several years and the fact that the Project is nearly complete are sources of pride for CAWCD, its staff, and its governing Board. However, four significant problems have arisen and remain unresolved.

1. Last year, I reported that CAWCD and the Bureau of Reclamation had reached an agreement in concept to resolve all significant disputes regarding Project costs and construction

deficiencies. I outlined that agreement in my testimony of April 3, 1995, and told you that the parties were jointly engaged in drafting a document to embody that agreement. CAWCD worked diligently and in good faith with the Bureau for over 18 months in an effort to do just that. I am sorry to report, however, that our efforts were fruitless. In June 1995, on the eve of signing an agreement in principle with CAWCD, the Secretary of the Interior decided not to attend the signing ceremony, and later advised us that he would not execute the agreement as drafted. We had no choice but to file a lawsuit against the United States in July, 1995 in an effort to resolve the matters in dispute. The United States subsequently filed suit as well, and deliberately expanded the issues in litigation.

The major issues in dispute include the following:

(a) The amount of CAWCD's construction cost repayment obligation for the CAP water supply system and regulatory storage is disputed. CAWCD contends that this obligation cannot exceed $1.781 billion under CAWCD's Repayment Contract with the United States. In the lawsuit, the United States claims that the contractual limit on CAWCD's repayment obligation is $2.0 billion. However, the actual bills the United States has sent to CAWCD for CAP construction costs are based on an estimated repayment obligation in excess of $2.2 billion. Incredibly, CAWCD is being billed by the Bureau for more than the United States reasonably believes it can claim in its own complaint.

(b) The amount of the United States' obligation for the annual operation, maintenance, and replacement ("OM&R") costs of the Project is also in dispute. The United States has acquired or reserved for federal purposes about 43% of the Project's water supply, but is paying less than 8% of the Project's annual OM&R costs, refuses to pay more, and argues that it should pay even less.

(c) The United States' responsibility to correct construction defects and deficiencies is at issue. The Bureau of Reclamation was responsible for constructing the Project, and remains responsible for completing unfinished Project features. When the Bureau declared the Project's water supply system complete in 1993, however, it presented CAWCD with a lengthy list of construction deficiencies. The Bureau pledged to correct these deficiencies. Now, because the Bureau has exceeded the contractual limit on CAWCD's construction cost repayment obligation, the Bureau refuses to correct the deficiencies and insists that they are CAWCD's responsibility.

(d) Under long standing Reclamation law, policy, and practice, revenues from the sale of project power have been used to assist in repaying project construction costs. This is also provided for in the Colorado River Basin Project Act, the CAP authorizing legislation. In addition, when Congress enacted the Hoover Power Plant Act of 1984, it provided for the creation of certain revenues from the sale of power from the Boulder Canyon Project and the sale of surplus power from the Navajo Generating Station and dedicated those revenues to the payment of CAP

> construction costs and the repayment of CAWCD's construction cost repayment obligation. CAWCD's 1988 Repayment Contract with the United States also requires that these revenues be applied by the United States against CAWCD's repayment obligation. Despite these provisions of law and contract and its own historic practices, the Bureau of Reclamation refuses to apply these revenues to repayment as intended, and has instead diverted them to other purposes.

We cannot predict when the litigation concerning these matters will be resolved, or its outcome.

2. Another problem that has not yet become the subject of litigation concerns the extent of CAWCD's responsibility for mitigating the perceived effects of CAP water deliveries on endangered species. The Fish and Wildlife Service recently concluded that the operation of the CAP "jeopardizes" endangered native fish in the Gila River Basin. The jeopardy opinion is premised on the far-fetched theory that non-native fish will escape from the CAP aqueduct system, migrate many miles upstream over dry river beds, surmount major dams and other obstacles in their path, and eventually make their way to the habitat of native fish located far from the CAP service area. The Fish and Wildlife Service and other game management agencies have for many years intentionally stocked millions of these same non-native fish in the very streams and reservoirs where the native fish live, seriously damaging the habitat of the native fish and depleting their numbers. The jeopardy opinion totally ignores the impact of these earlier, detrimental actions, and instead attempts to attribute the endangerment of the remaining native fish to the operation of the Central Arizona Project.

The jeopardy opinion is totally illogical, contrary to the Service's earlier actions, and unsupported by the facts. Despite this, the Fish and Wildlife Service insists that CAWCD, its taxpayers, and its water users must incur millions of dollars in additional costs to mitigate the imagined impacts of CAP water deliveries on native fish. These costs include payments of $500,000 a year each year for 25 years to the Fish and Wildlife Service to finance the Service's favorite native fish research and recovery projects. The current plan calls for this money to be obtained initially from CAP appropriations and transferred by the Bureau of Reclamation to the Fish and Wildlife Service.

CAWCD was not permitted to participate in the consultations between the Bureau of Reclamation and the Fish and Wildlife Service that led to this jeopardy opinion, but will end up paying most of the bill if it is implemented. CAWCD has submitted a detailed report to the Bureau of Reclamation and the Fish and Wildlife Service which provides significant scientific information ignored by the Fish and Wildlife Service, refuting the conclusions of the jeopardy opinion. CAWCD has asked that its report be considered and that the jeopardy finding be withdrawn. So far, CAWCD's request has been ignored. CAWCD supports appropriations to complete the Project, but requests that none of these appropriations be permitted to be spent to implement the actions required by this biological opinion unless and until consultations between the Bureau of Reclamation and the Fish and Wildlife Service are reopened, the jeopardy conclusion is withdrawn, and the biological opinion is seriously reconsidered in light of the information contained in CAWCD's report.

3. A similar problem has arisen with respect to proposed water deliveries to the Tucson area. The Secretary of the Interior announced his allocations of CAP water in 1983 after a lengthy and involved environmental process. CAWCD began entering into water service subcontracts with water users shortly thereafter. Now, over ten years have passed, construction of the aqueduct system is complete, and many entities, including the City of Tucson, have entered into water service subcontracts and made enormous investments in facilities to treat and distribute CAP water. Some also plan to recharge a portion of their CAP water supplies to replenish groundwater supplies and store additional water for future use. The Fish and Wildlife Service recently announced that it must review all uses of CAP water in the Santa Cruz River Basin near Tucson for compliance with the Endangered Species Act, even if those uses involve wholly local decisions, are not funded by the federal government, and do not require federal permits. In preparation for this review, the Fish and Wildlife Service has asked the Bureau of Reclamation to prepare a comprehensive biological assessment of all proposed uses of CAP water in the Tucson area. This unwarranted intrusion into local water management decisions is intolerable. We ask that no money appropriated for the CAP be permitted to be spent to further the Fish and Wildlife Service's request for this biological assessment or for additional review of the effects of CAP water use in the Santa Cruz River Basin.

4. Finally, CAWCD must express its concern regarding the recently announced decision of the Bureau of Reclamation to require review under the National Environmental Policy Act of transfers of CAP water service subcontracts from one non-Indian water user to another. These transfers will occur, for the most part, in the ordinary course of CAWCD's business, have never been a problem for the Bureau before, and are essential to rational water management. They involve entirely local water management decisions and entirely local economic considerations. They must continue to occur in a timely manner, and without large external costs. The Bureau of Reclamation reviewed the environmental impact of its original CAP water allocations and contracting decisions extensively. There is no rational basis for further environmental review of CAP water use in Arizona. We ask that any appropriations for Bureau environmental work prohibit the use of such appropriations for further environmental review of CAP water use in Arizona and make clear that such review is not required.

While these and other issues continue to confront us, we are confident that they will be resolved. We are admittedly frustrated by the continuing deterioration of our relationship with the Department of the Interior and the Bureau of Reclamation. We want to resolve our disputes with the Bureau regarding Project costs. We thought we had done so at the time of our visit here a year ago. We want to get on with the business of delivering Colorado River water to Arizona water users -- the purpose for which the Project was authorized and constructed. Unfortunately, the Bureau continues to demand that we pay more than what we agreed to pay in Project costs while at the same time interfering with our efforts to deliver Project water. Nevertheless, CAWCD is absolutely committed to paying its share of Project costs and to abiding by the decisions of the courts regarding the issues in litigation. We ask that you continue to support completion of the Project with your appropriations, and we pledge to continue to work with you to bring that goal to fruition.

Ms. THOMAS. Thank you, Mr. Chairman.

My name is Mary V. Thomas. I am the Governor of the Gila River Indian Community, representing 13,000 enrolled members and 10,000 who actually live on the Reservation. We have a farming project which is—we are a model for Indian country as well as the country itself.

In regards to the funding for our endeavors, we urge you to support our requests that we are about to propose through our written testimony, which we have provided for the record.

The community now receives Central Arizona Project funding which will establish a water delivery system on our Reservation through a self-governance designation. Our tribe is probably one of the first to take such an endeavor to work with the Bureau of Reclamation on this project.

We are requesting $30.6 million for next year for 1997. I believe we are on the verge of constructing a major delivery system for our tribe.

Funding must continue so that the CAP features on the Reservation may be completed. It has never been funded fully. In fact, we have no system at all. So we are doing that because we are the largest contractor of the CAP allocations as an Indian tribe.

The community IDD features have not been fully funded, as I said, in the past years. The community will complete the CAP features on the Reservation through the annual funding agreement, which we go through every year. We just finished one and, in fact, it was—became effective last month. So we are on the verge of some very, very major projects and will be a shining example of cooperation.

I would like to personally thank the CAWCD board for coming out to visit, for Mr. Gammage and Pete Wilson and for giving us the opportunity to provide testimony on behalf of our tribe along with them. So thank you very much for listening to me.

Mr. MYERS. Thank you.

[The statement of Ms. Thomas follows:]

TESTIMONY OF GOVERNOR MARY V. THOMAS OF THE GILA RIVER INDIAN COMMUNITY TO THE HOUSE OF REPRESENTATIVE'S APPROPRIATIONS COMMITTEE ON WATER AND ENERGY REGARDING THE BUREAU OF RECLAMATION'S CENTRAL ARIZONA PROJECT AND INDIAN DISTRIBUTION DIVISION

WASHINGTON, D.C.
March 6, 1996

I. INTRODUCTION

My name is Mary V. Thomas, the Governor of the Gila River Indian Community (the "Community"). On behalf of the Pimas and Maricopas of the Community, I first express my appreciation to the Chairman and members of this Committee, for the opportunity to express our views regarding appropriations for the Central Arizona Project (the "CAP") and specifically for the Community.

The Community's Reservation is located immediately south of the greater Phoenix Metropolitan area and contains approximately 373, 000 acres. Our membership exceeds 13,000 and approximately 8,000 members live on our Reservation. We contend that approximately 266,000 acres of Reservation is capable of being irrigated. The Community has entered into a water delivery contract and has been allocated 173, 100 acre feet of CAP water each year.

From time immemorial Pimas and Maricopas have farmed the Gila River Valley and when American sovereignty was imposed we assisted the initial groups of non-Indians who traveled through central Arizona and lived peacefully with those non-Indians who settled along the Gila River. In fact, the canal system laid out by Pimas and Maricopas is still in operation not only on our Reservation but the basic concept is utilized by the residents of the Phoenix and surrounding towns and cities.

II. THE COMMUNITY NOW RECEIVES CENTRAL ARIZONA PROJECT FUNDING WHICH WILL ESTABLISH A WATER DELIVERY SYSTEM ON OUR RESERVATION.

The Community has been designated as a Self-Governance Tribe by the Department of the Interior (the "DOI") and has entered into an Annual Funding Agreement (the "AFA") with the Bureau of Reclamation (the "Reclamation") which was effective on February 15, 1996. Reclamation funding will be used to benefit the Reservation individual allottee's and landowners as well as the Community. Your appropriation efforts for FY 1996 for $8.923 million will finally be used for the intended purpose of building an irrigation system for the Community. The AFA will enable the Community to begin completing all of Reclamation's activities under the Colorado River Basin Project Act for our Reservation. We are committed to begin construction of a delivery and distribution system in FY97. Based on Reclamation costs and a scheduled 15 year project, the Community submitted a budget request to Reclamation for FY1997 for $30 6 million which will be expended on engineering and construction supervision, delivery and distribution system, cultural resource mitigation, and the Gila River Repository pland and design. We note that the funding level submitted to the Committee is $27 million for all Indian tribes. I urge you to reconsider and add to Reclamation's budget request.

III. FUNDING MUST CONTINUE SO THAT CAP FEATURES ON THE RESERVATION MAY BE COMPLETED.

The Community has the single largest water delivery contract for CAP water. There needs to be a commitment by the Committee and Reclamation to recognize and fund the Indian Distribution Division. The success of the CAP project is dependent on the use of water. The Community as the single largest contractor for water needs a delivery and distribution system to deliver water to our agricultural lands. Reclamation fought long and hard for the $4 billion dollar project when Reclamation employees were in control. Little will be said about funding for the Community's CAP-IDD projects since funding will pass through to the Community as a Self-Governance tribe. We urge the Committee assure that funding is retained for CAP-IDD within the authorized ceiling to fully fund Indian projects in excess of $500 million.

IV. THE COMMUNITY IDD FEATURES HAVE NOT BEEN FULLY FUNDED IN PAST YEARS.

CAP features on our Reservation have not been fully funded in past years because of the lack of commitment to complete the CAP-IDD by past Reclamation policy. Non-Indian distribution and delivery systems and the mainstem costs have been fully funded. Indians have not been funded. However, the individual allottee's which I am one, have a debt charged against their allotment. My share of the $1.2 billion deferred under Leavitt to my allotment would be staggering and a CAP-IDD system cannot get water to my land because it has not been funded and Reclamation has not wanted to construct the systems. We ask your help in reversing this injustice and fully fund CAP-IDD for the Indians. It is time that lower priority Reclamation activities not receive funding before CAP-IDD projects are completed.

V. THE COMMUNITY WILL COMPLETE THE CAP FEATURES ON THE RESERVATION THROUGH THE AFA.

The Community received an allocation for 173,100 acre-feet in 1982, and signed a water delivery contract for that amount in 1992. Reclamation has expended $12-$14 million on the Gila River Project - IDD to date. The Community became a Self-Governance Tribe in 1995, and executed an AFA with Reclamation in 1995 and $8.2 million was transferred to the Community on February 22,1996. The 1995 cost allocation for the mainstem of the CAP delivery system, estimated at $1.2 billion, was allocated to Indians with Community having the largest share of that allocation that is reported to you as being deferred under the Leavitt Act.

VI. CAP-IDD WORKS ON THE RESERVATION HAVE NOT BEEN BUILT.

No CAP-IDD facilities have been built on our Reservation. The Community built the off-Reservation Pima Lateral Feeder Canal from the CAP canal to the SCIIP delivery system with CAP-IDD funding and CAP-IDD funding was appropriated to reimburse Community for Southside Canal facilities.

VII. RECLAMATION MUST COMPLY WITH THE LETTER AND SPIRIT OF THE SELF-GOVERNANCE ACT.

The negotiations with Reclamation regarding the AFA for CAP-IDD funding were extremely difficult and time consuming. No doubt the recent amendments to the Act caused difficulty in interpretation and the non-Bureau of Indian Affairs AFA were somewhat unique. However, it was clear to me that Reclamation personnel at all levels were not committed to prompt implementation of the Self-Governance amendments. This situation is brought to the attention of the House with the expectation that if this lack of commitment continues that the Congress schedule oversight hearings to determine why the Self-Governance laws are not being complied with by Reclamation.

The issues that concern us involve the following:

1. We did not receive sufficient information regarding funds available for administrative and contract support.

2. A basic problem regarding reassumption provision may re-surface.

3. We contend that Department-wide Compacts are necessary for non-BIA Compacts.

4. The AFA negotiation process must be formalized to ensure that the federal team has sufficient delegated responsibilities so that binding decisions can be made to expedite the negotiation process.

VIII. CONCLUSION.

The position of the Community is that the CAP features are intended to benefit not only off-Reservation interests but also the Community and Community members. I urge that you continue to support funding for all the features of IDD and specifically for the Community works which eventually will be able to deliver sufficient water to support the agricultural interests of Pimas and Maricopas.

Mr. MYERS. We will have each of you summarize about a minute each.

Mr. MILLER. We will try.

My name is George Miller, Mayor of the City of Tucson. I have here Shirley Scott, newly elected councilwoman and Janet Marcus, who is also on the council. That is three out of the seven, so we are not violating the open meeting law.

I appreciate the opportunity to appear on behalf of the people of Tucson and present a summary of my statement concerning the fiscal year 1997 appropriations for the Tucson terminal storage feature of the Central Arizona Project.

The people of Tucson greatly appreciate the funding support your committee has given over the years to the Central Arizona Project. Until the arrival of Colorado River water through the CAP aqueduct in late 1992, Tucson was one of the largest metropolitan areas in the United States wholly dependent upon mined groundwater. Because of this, Tucson has been committed during the past two decades to a strong conservation ethic and has significantly reduced its daily per capita use of groundwater.

Tucson is relying on the Central Arizona Project to provide a sustainable long-term water source to the community. To prepare for CAP water, the city invested nearly $200 million in the facilities required to treat and distribute the water.

A crucial element of Tucson's planning for reliance on CAP water has been delivery reliability for southern Arizona through the construction of a storage reservoir and related facilities as part of the project, a facility commonly known as terminal storage.

I am here today to urge that the Bureau's ongoing environmental design and planning work for terminal storage be continued so that the City can be assured of CAP delivery reliability when the City shifts its water supply from groundwater to CAP water.

This conversion has been a significant challenge for the City. Change from groundwater to treated CAP water caused water quality problems on a scale that had not been anticipated. Encrusted materials in old galvanized steel pipe broke loose, resulting in the delivery of brown water to approximately 6,000 customers. As a result of this, we suspended the delivery of treated water; and in November, 1995, the Tucson voters adopted an initiative, proposition 200, which prohibits the direct delivery of CAP water until the quality of water is the equivalent of the high quality of groundwater in the Avra Valley just west of Tucson.

Mr. MYERS. Mayor, I am sorry. Your time has expired. Your entire statement will be placed in the record.

Mr. MILLER. Right. I just wanted to hand in one other thing, a letter from the ASARCO mining company, which we are beginning to deal with in terms of the use of CAP water.

[The statement of Mr. Miller follows:]

March 6, 1996

SUMMARY OF MAYOR MILLER'S STATEMENT TO THE HOUSE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

CHAIRMAN MYERS, MEMBERS OF THE SUBCOMMITTEE:

MY NAME IS GEORGE MILLER, MAYOR OF THE CITY OF TUCSON. I APPRECIATE THE OPPORTUNITY TO APPEAR ON BEHALF OF THE PEOPLE OF TUCSON, AND PRESENT A BRIEF SUMMARY OF MY STATEMENT CONCERNING THE FISCAL YEAR 1997 APPROPRIATIONS FOR THE TUCSON TERMINAL STORAGE FEATURE OF THE CENTRAL ARIZONA PROJECT.

THE PEOPLE OF TUCSON GREATLY APPRECIATE THE FUNDING SUPPORT YOUR COMMITTEE HAS GIVEN OVER THE YEARS TO THE CENTRAL ARIZONA PROJECT. UNTIL THE ARRIVAL OF COLORADO RIVER WATER THROUGH THE CAP AQUEDUCT IN LATE 1992, TUCSON WAS ONE OF THE LARGEST METROPOLITAN AREAS IN THE UNITED STATES WHOLLY DEPENDENT UPON MINED GROUNDWATER. BECAUSE OF THIS, TUCSON HAS BEEN COMMITTED DURING THE PAST TWO DECADES TO A STRONG CONSERVATION ETHIC--AND HAS SIGNIFICANTLY REDUCED ITS DAILY PER CAPITA USE OF GROUNDWATER.

TUCSON IS RELYING ON THE CENTRAL ARIZONA PROJECT TO PROVIDE A SUSTAINABLE LONG-TERM WATER SOURCE TO THE COMMUNITY--TO PREPARE FOR CAP WATER, THE CITY INVESTED

NEARLY $200 MILLION IN THE FACILITIES REQUIRED TO TREAT AND DISTRIBUTE THE WATER.

A CRUCIAL ELEMENT OF TUCSON'S PLANNING FOR RELIANCE ON CAP WATER HAS BEEN DELIVERY RELIABILITY FOR SOUTHERN ARIZONA THROUGH THE CONSTRUCTION OF A STORAGE RESERVOIR AND RELATED FACILITIES AS PART OF THE PROJECT--A FACILITY COMMONLY KNOWN AS TERMINAL STORAGE.

I AM HERE TODAY TO URGE THAT THE BUREAU'S ONGOING ENVIRONMENTAL, DESIGN AND PLANNING WORK FOR TERMINAL STORAGE BE CONTINUED--SO THAT THE CITY CAN BE ASSURED OF CAP DELIVERY RELIABILITY WHEN THE CITY SHIFTS ITS WATER SUPPLY FROM GROUNDWATER TO CAP WATER.

THIS CONVERSION HAS BEEN A SIGNIFICANT CHALLENGE FOR THE CITY. THE CHANGE FROM GROUNDWATER TO TREATED CAP WATER CAUSED WATER QUALITY PROBLEMS ON A SCALE THAT HAD NOT BEEN ANTICIPATED. ENCRUSTED MATERIALS IN OLD GALVANIZED STEEL PIPE BROKE LOOSE RESULTING IN THE DELIVERY OF BROWN WATER TO APPROXIMATELY 6,000 CUSTOMERS. AS A RESULT, THE CITY SUSPENDED DIRECT DELIVERIES OF TREATED CAP WATER AND, IN NOVEMBER 1995 THE TUCSON VOTERS ADOPTED AN INITIATIVE, PROPOSITION 200, WHICH PROHIBITS THE DIRECT DELIVERY OF CAP WATER UNTIL THE QUALITY OF THE WATER IS THE EQUIVALENT OF THE HIGH QUALITY GROUNDWATER IN THE AVRA VALLEY JUST WEST OF

TUCSON. ENHANCED TREATMENT WILL BE NEEDED IF CAP WATER QUALITY IS TO BE IMPROVED TO AVRA VALLEY STANDARDS.

LAST MONTH THE CITY CONTRACTED WITH CONSULTANTS, AT A COST OF APPROXIMATELY $1 MILLION TO ASSIST IN THE PREPARATION OF A REQUEST FOR PROPOSALS FOR THE CONSTRUCTION AND OPERATION OF AN ENHANCED TREATMENT FACILITY THAT WOULD TREAT CAP WATER TO THE STANDARDS STATED IN PROPOSITION 200. WE EXPECT TO PROMULGATE THE RFP BY THE END OF THIS YEAR, AND TO RECEIVE PROPOSALS IN THE FIRST HALF OF 1997.

MEANWHILE THE CITY IS DEVELOPING WAYS TO CONTINUE TO PURCHASE CAP WATER AND STORE IT FOR FUTURE USE. THE MAYOR AND COUNCIL HAVE BEEN CLEAR AND UNITED IN CONTINUING THEIR COMMITMENT TO TAKING SUBSTANTIAL QUANTITIES OF CAP WATER EACH YEAR. TUCSON IS PLANNING TO RECHARGE A SIGNIFICANT PORTION OF ITS CAP WATER, AND CONTINUE TO PUMP GROUNDWATER UNTIL THE PROBLEMS ASSOCIATED WITH DIRECT DELIVERY HAVE BEEN RESOLVED. BECAUSE THE DIRECT DELIVERY OF CAP HAS BEEN DELAYED, QUESTIONS HAVE BEEN RAISED CONCERNING THE NEED FOR TERMINAL STORAGE.

THE PURPOSE OF MY TESTIMONY TODAY IS TO ASSURE YOU THAT TUCSON PLANS TO SOLVE THE WATER QUALITY PROBLEMS AND TO RESUME DIRECT DELIVERY OF CAP WATER. TUCSON NEEDS

TERMINAL STORAGE. WE URGE THAT THE BUREAU'S ONGOING ENVIRONMENTAL, DESIGN AND PLANNING WORK FOR TERMINAL STORAGE BE FUNDED AT BETWEEN $500,000 AND $1,000,000 FOR FISCAL YEAR 1997 SO THAT OUR CITY CAN BE ASSURED OF CAP DELIVERY RELIABILITY AS THE CITY WORKS TO SHIFT ITS WATER SUPPLY FROM GROUNDWATER TO CAP WATER.

[119200.01]

March 6, 1996

GEORGE MILLER, MAYOR
CITY OF TUCSON
STATEMENT
TO THE
HOUSE COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

The people of Tucson greatly appreciate the funding support your Committee has given over the years to the Central Arizona Project. A crucial element of Tucson's planning for reliance on CAP water has been the provision of delivery reliability for Southern Arizona through the construction of a storage reservoir and related facilities as part of the Project. This feature of the Project is commonly known as Terminal Storage. In the past two years, quality problems with CAP water have caused the City to suspend direct delivery of the water to customers. However, the City is taking steps to resolve those problems and will need to resume direct deliveries in the near future.

I am here today to urge that the Bureau's ongoing environmental, design and planning work for Terminal Storage be continued--so that the City can be assured of CAP delivery reliability when the City shifts its water supply from groundwater to CAP water. We request that the Bureau's ongoing environmental and planning work for Terminal Storage be funded at between $500,000 and $1,000,000 for fiscal year 1997 so that our City can be assured of CAP delivery reliability as the City works to shift its water supply from groundwater to CAP water.

Until the arrival of Colorado River water through the CAP aqueduct in late 1992, Tucson was one of the largest metropolitan areas in the United States wholly dependent upon groundwater. Since the early 1900s, Tucson has been forced to mine groundwater - withdraw more groundwater than is naturally replenished to the basin - to provide water to its growing population. Recognizing the finite nature of the groundwater resource, Tucson committed in the 1970's to a conservation ethic. Over the years this has resulted in significant reductions in per capita groundwater use. Nonetheless, current demands for water in this basin exceed renewable supplies by a ratio of nearly two to one.

Since the 1970s, Tucson has been a major supporter of the Central Arizona Project to import Colorado River to the metropolitan areas of the state. Tucson recognizes that CAP water will be the most viable long-term water source to sustain Tucson's economic and population growth, meet the Arizona groundwater code requirements, and conserve and preserve the City's groundwater resource for the future.

In 1989, after a lengthy process of study and public input, Tucson adopted a long range Water Resources Plan. As part of that Plan, Tucson made a policy decision of rapid transition from mined groundwater to surface water, much earlier than required by Arizona's Groundwater Management Code. For the past thirteen years, Tucson has been shifting its economic resources from drilling new wells and maintaining the well fields, to reorienting the water delivery system, and to the construction of a large treatment plant capable of delivering sufficient treated CAP water to substitute renewable water for nearly all of the groundwater the City was delivering. Tucson invested nearly $200 million in the facilities required for reliance on CAP water.

Unfortunately, when Central Arizona Project water arrived in the Tucson area, the interaction between treated surface water and old galvanized steel pipes in some portions of the city resulted in the delivery of discolored water to seven percent of our customers who received the water. Although major efforts were undertaken to correct the problem, progress was slow. Last November the city's voters passed an initiative measure, Proposition 200, which bars Tucson Water from making direct delivery of CAP water unless it receives enhanced treatment to substantially reduce the total dissolved solids in the water.

Consequently, Tucson is planning to recharge a significant portion of its CAP water, and continue to pump groundwater until the problems associated with direct delivery have been resolved. Because the direct delivery of CAP has been delayed, questions have been raised concerning the need for Terminal Storage. The purpose of my testimony today is to assure you that Tucson plans to solve the water quality problems and to resume direct delivery of CAP water. Tucson needs Terminal Storage.

Growth projections put the Tucson area's population at 1.2 million by 2025, and at 2.5 million 100 years from now. Tucson Water delivered more than 108,000 acre-feet of water in 1995. This area is projected to need more than 200,000 acre-feet in 2025, and over 400,000 acre-feet in the year 2100. Tucson has a potential service area which includes most of eastern Pima County, north of the San Xavier Indian Reservation. Additionally, along with its own residents, Tucson serves other municipal and industrial providers in the area. The City's allocation of CAP water is 148,420 acre feet, with an additional 25,000 acre feet allocated to private water companies and state land in the area. Tucson's long range plan indicates that this area's current CAP allocations will be totally utilized by the year 2025. The plan calls for the City to acquire additional CAP water.

Tucson is and must be committed to the Central Arizona Project to support the City's future growth. I assure this Committee that Tucson's long-term commitment to the CAP remains intact, despite water quality problems experienced by the City when it directly delivered CAP water to its customers. After describing these problems, I will address our support for the proposed appropriations for the CAP for fiscal year 1997--including funding for Terminal Storage.

Technical Implementation Problems in Tucson

Conversion of Tucson Water's service area population of nearly 600,000 people from groundwater to surface water has been a significant challenge for the

City. In order to comply with anticipated new stringent EPA requirements, Tucson constructed a state of the art water treatment plant. We operated a pilot plant in Phoenix to identify and deal with the problems that could be encountered when CAP water was introduced in Tucson. A major public relations campaign was implemented to prepare our customers for the changes they might encounter when CAP water arrived. When the first 84,000 customers were transferred from groundwater to CAP water early this year, 7% of those customers experienced problems on a scale that had not been anticipated. The surface water caused encrusted materials in old galvanized steel pipe to break loose and resulted in the delivery of brown water to approximately 6,000 customers. The City established a special office to deal with customer complaints and employed nationally recognized experts to help solve the problem. However, a quick solution could not be achieved.

During 1994, the City continued to deliver treated CAP water to a limited number of customers in areas with newer pipelines. After the CAP aqueduct was closed down in November and December for siphon repair however, the Mayor and Council decided that it would not resume deliveries of treated CAP water to any customers until the water quality was sufficiently high that the water could be delivered to all Tucson Water customers.

To assure that direct delivery of CAP water would not resume until the quality of the water improved, the voters of the city enacted an initiative known as Proposition 200 last November. It provides that CAP water cannot be directly delivered to Tucson Water customers unless the quality is equivalent to high quality groundwater in Avra Valley west of Tucson. Enhanced treatment will be needed if CAP water quality is to be improved to Avra Valley standards.

Last month the City contracted with consultants, at a cost of approximately $1 million to assist in the preparation of a request for proposals for the construction and operation of an enhanced treatment facility that would treat CAP water to the standards stated in Proposition 200. We expect to promulgate the RFP by the end of this year, and to receive proposals in the first half of 1997.

Meanwhile the City is developing ways to continue to purchase CAP water and store it for future use. The Mayor and Council have been clear and united in continuing their commitment to taking substantial quantities of CAP water each year. However, the City must deal with the quality issues which have arisen because of the flow of CAP water through the City's older pipe system. Economic consequences will include pipeline repair and accelerated replacement, costs for homeowner damages, and, as described above the possible construction of a new demineralization plant.

We will preserve our basic conservation ethic, and our long-term need for CAP water to meet the needs of Tucson's growing population will continue. The CAP Use Study for Quality Water by Dames & Moore completed last Fall, reported on alternatives for utilization of the City's CAP allocation. Its long term recommendation included direct delivery of substantial quantities of treated CAP water. Terminal Storage is critically necessary for such direct delivery.

Terminal Storage

The problems Tucson has had switching from groundwater to CAP water highlight the need for a storage facility near the terminus of the aqueduct — Terminal Storage, as the final element of the Central Arizona Project in Southern Arizona. A reliable supply of CAP water is very important to Tucson. It is also quite important to the Tohono O'odham Nation. The Nation has a contract for 37,800 acre feet of CAP water, and is to receive an additional 28,200 acre feet of water under the terms of the Southern Arizona Water Rights Settlement Act of 1982. This may also be CAP water. The Nation has urged that Terminal Storage be provided as part of the Central Arizona Project so that a reliable supply of water will be provided to the Nation and its people.

The Bureau has been doing detailed planning and continuing the NEPA processes on a terminal storage proposal that has been approved by the City and the CAWCD board. The principle elements of the proposal are as follows :

1. A 15,000 acre foot surface storage reservoir with 350 cfs gravity flow to the Tucson Water Treatment plant;

2. Joint CAP recharge facilities with the CAWCD;

3. Recovery of recharged water from:

a. Two of Tucson Water's existing exterior wellfields, Avra Valley and Santa Cruz, with the flexibility to introduce flows either at the treatment plant or into the surface reservoir;

b. A new Central Avra Valley wellfield, located on City-owned property with the pumped supply introduced directly into the CAP canal on the discharge side of the Brawley Pumping Plant.

4. Operation of the Tucson wellfields to be turned over to the CAWCD, under a cooperative agreement, during any CAP outages.

The estimated cost of the federal portion of this project is $61 million for the storage facility; the cost of the local portion is $50 million for existing and new wellfields and pipelines. The draft Environmental Impact Statement for Terminal Storage was completed in April 1995. The final EIS has not been issued. Because of the passage of Proposition 200 questions have been raised concerning the need for Terminal Storage. Consideration has been given by the Bureau of Reclamation to shelving the EIS process until Tucson has adopted firm plans for direct delivery of CAP water.

We have urged the Bureau to continue the environmental work and planning for Terminal Storage. We understand that the Bureau plans to do so, albeit at a reduced level, and that its appropriation request seeks between $.50 and $1.0 million for work in fiscal year 1997 related to Terminal Storage. The City respectfully asks the this request be approved so that Terminal Storage can remain alive while Tucson resolves its CAP problems and develops its programs to return to direct delivery of CAP water. Attached to this testimony as Exhibits A and B are the resolution of the Mayor and Council of January 8, 1996 concerning direct delivery of CAP water, and a copy of my letter of February 5, 1996 to Dennis Schroeder, Phoenix Area Manager, Bureau of Reclamation, requesting continued work on Terminal Storage.

[118901.02]

Exhibit A to
Testimony of Mayor Miller

ADOPTED BY THE
MAYOR AND COUNCIL

JAN 08 1998

RESOLUTION NO. 17141

RELATING TO WATER; REAFFIRMING THE COMMITMENT OF THE CITY OF TUCSON TO ENHANCE TREATMENT AND DIRECT DELIVERY OF HIGH QUALITY WATER AND TERMINAL STORAGE OF CENTRAL ARIZONA PROJECT WATER.

WHEREAS, the future of the Tucson region remains dependent on the ultimate utilization of Central Arizona Project water; and

WHEREAS, an integral part of the overall plan for the utilization of Central Arizona Project water includes a need for a facility dedicated to terminal storage of Central Arizona Project water; and

WHEREAS, a terminal storage feature for the Tucson area has long been an integral part of the Central Arizona Project water delivery system as planned for Tucson; and

WHEREAS, implementation of terminal storage will provide numerous benefits to the area, including the improvement of reliability of the water supply, increasing the options for the utilization of Central Arizona Project water; facilitation of implementation of the Southern Arizona Water Rights Settlement Act; retention of the financial benefits of a low interest Federal loan which will benefit all Central Arizona Project water users in the region; and reduction of local dependence upon the viability of recharge projects.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, AS FOLLOWS:

Section I. That the Mayor and Council of the City of Tucson hereby reaffirms its commitment to the enhanced treatment and direct delivery of high-quality water, including Central Arizona Project water, consistent with the water quality requirements of Proposition 200 as an important component of the City's overall water resources plan, and for the development of an implementation plan for such treatment and delivery which will successfully accomplish the direct use and terminal storage of Central Arizona Project water.

Section 2. The City Clerk is hereby authorized and directed to send a copy of this Resolution to the Governing Board of the Central Arizona Conservation District, and to each member of the Arizona Congressional Delegation.

Section 3. WHEREAS, it is necessary for the preservation of the peace, health and safety of the City of Tucson that this resolution become immediately effective, an emergency is hereby declared to exist and this resolution shall be effective immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, JAN 08 1996.

George Miller
MAYOR

ATTEST:
Kathleen S. Detrick
CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED BY:

CITY MANAGER

TR
TR:cds
1/8/96

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Exhibit B to
Testimony of Mayor Miller

CITY OF TUCSON
OFFICE OF THE MAYOR

GEORGE MILLER
MAYOR

255 WEST ALAMEDA
P.O. BOX 27210
TUCSON, ARIZONA 85726-7210
PHONE: (602) 791-4201
FAX: (602) 791-5348

February 6, 1996

Mr. Dennis E. Schroeder
Area Manager
Phoenix Area Office
Bureau of Reclamation
P.O. Box 9980
Phoenix, AZ 85068-0980

Dear Mr. Schroeder:

Subject: Status of Environmental Impact Statement (EIS) and Continued
Planning for Tucson Aqueduct System Reliability Investigation,
Central Arizona Project (CAP)

Thank you for your letter of February 1, 1996 advising the city of the status of the bureau's planning for Tucson Terminal Storage. You advised that further work on the EIS is being suspended because of the passage of Proposition 200 and Tucson's current plans for taking and using CAP water.

The city recognizes that direct delivery of CAP water is an essential element of long-term planning. In fact, the mayor and council adopted the enclosed resolution on January 1996 reaffirming direct delivery as our goal.

Delivery reliability of CAP is crucial to the city's plans for directly delivering treated CAP water to its customers. With the passage of Proposition 200, direct delivery of CAP water is not permitted until the water is treated to standards equivalent to the quality of the city's Avra Valley wellfield water, or until direct delivery is approved by a public vote. Until enhanced treatment is provided, the city is planning to take substantial quantities of CAP water annually for recharge and recovery.

The city is implementing a program for enhanced treatment of CAP water to enable Tucson Water to begin direct delivery of substantial quantities within the next five years. Early last fall Tucson Water officials sought, from companies all over the world, expressions of interest in planning, constructing and operating an enhanced treatment plant for Tucson's CAP water. Twenty-five companies responded. We then sought statements of qualifications and proposals from potential consultants to assist the city in preparing a Request for Proposals to plan, construct, and operate an enhanced treatment plant. On February 16, 1996, consultant contracts for approximately $1,000,000 will be awarded; we expect to complete and promulgate the Request for Proposals by the end of the year. In addition, the city is spending nearly $100 million to replace 200 miles of galvanized steel pipe in its distribution system so that colored water problems will be avoided when direct delivery resumes.

The city is committing significant resources to assure that CAP water will, within the next few years, be directly delivered to a substantial portion of it service area. But it is not possible to rely on CAP water without terminal storage.

Your letter of February 1st states that you intend to put the draft EIS on hold "pending further developments in Tucson's plans for using CAP water." We offer the enclosed resolution and the extensive main replacement program and the new contracts with consultants to develop an RFP for an enhanced treatment facility and the fast track scheduling of the enhanced treatment project as further developments in Tucson's plans for using CAP water. We ask that the EIS process continue, albeit on a reduced work schedule. There are fish and wildlife service issues to be tied down, and issues raised by the Tohono O'odham Nation to be addressed.

If the draft EIS is shelved and all activity related to terminal storage ceased at the bureau, it will be difficult if not impossible to revive this part of the project. Without terminal storage and the reliability that it will bring, Tucson cannot prudently invest in the enhanced treatment technology needed to allow us to make direct deliveries. As the city commits millions of its ratepayers' dollars to solve the difficult problems of CAP water quality, we ask that the bureau keep terminal storage alive through continued planning and environmental work. I am writing to Congressman Kolbe (copy enclosed) to seek his assistance in the appropriations process in March, and I plan to attend the hearings on March 6th to describe Tucson's situation and urge continued planning and environmental work on terminal storage.

We appreciate the efforts your office has made in the past in the TASRI study and in developing the draft EIS. In light of Tucson's efforts to assure that direct delivery can begin in the near future, we urge that you not put the EIS process on hold, but continue that process as the city continues its process. We will keep you advised as we progress toward direct delivery.

Thanks very much for your vital help. I plan to attend the appropriations hearings on March 6th and hope to have the opportunity to address the subcommittee. Councilmembers Janet Marcus and Shirley Scott will accompany me. We look forward to seeing you then.

Sincerely,

George Miller

George Miller
Mayor

MC/ym

Enclosures (2)

Winword/96020050

ASARCO

F. R. McAllister
Executive Vice President

February 29, 1996

Mr. Charles K. McClain
Director of Tucson Water
City of Tucson
P. O. Box 27210
Tucson, Arizona 85726-7210

Dear Mr. McClain:

As you know, Asarco approached the City of Tucson a few months ago with an offer to consider the feasibility of the use of CAP water at the Mission Complex south of Tucson. We had declined our allocation of CAP water in 1993 based on several factors. One of the main issues at that time was the interruptibility of the supply of CAP water.

We are currently testing the technical feasibility of using CAP water in our milling process. Beyond the technical considerations, the interruptibility of supply is still a key issue. The proposed terminal storage project would be a favorable factor in our final decision. The lack of a terminal storage facility would definitely be a negative in our consideration of the use of CAP water.

Sincerely,

F. R. McAllister

FRM/mck

ASARCO Incorporated 1150 North 7th Avenue, Tucson, AZ 85705
Telephone (520) 798-7730 Facsimile (520) 798-7780

Mr. MYERS. All right. Could you summarize in about 30 seconds? We will fudge on the next group a little bit.

Mr. O'RIELLY. We need the terminal storage feature retained in the project. Keep funding in this for the environmental impact statement process. Thank you. Good day.

Mr. MYERS. Thank you.

I am sorry about the time. Thank you very much.

Ms. PEARSON. Thank you.

[The statement of Mr. O'Rielly follows:]

STATEMENT OF
R.B. O'RIELLY, PRESIDENT
TUCSON REGIONAL WATER COUNCIL

TO THE

THE HOUSE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
March 6, 1996

Chairman Myers, Members of the Subcommittee:

The Tucson Regional Water Council was recently founded by a group of business and community leaders, academics, and concerned citizens to ensure a long term stable water supply for the Tucson region and to foster regional cooperation in place of community divisiveness. I am here before you today as the President and spokesperson of that organization.

The Tucson Regional Water Council appreciates this Committee's past financial support toward the completion of the Central Arizona Project. The major system is complete, but the final piece needs to be put in place: the reliability feature for the Tucson area, a storage facility at the southern terminus of the aqueduct known as terminal storage. An important component of the terminal storage project is the Environmental Impact Statement being prepared by the Bureau of Reclamation. We request that an appropriation be included in the 1997 bill to assure that the Bureau's environmental analysis process for terminal storage continue.

I can understand the Bureau of Reclamation's concern that the recent passage of the Water Consumer Protection Act by a small percentage of Tucson water users may have eliminated the need for terminal storage in the Tucson Region. However, a provision of the Act mandates the City to honor its commitment to 148,000 acre feet of CAP. While a portion of this water could be recharged and stored for future use in our community, the direct use of CAP is inevitable in the Tucson region. We must be prepared by proceeding with terminal storage on a timeline that will furnish reliability once the CAP water is enhanced to the standard set forth in the Act, or the voters choose another quality standard.

The terminal storage feature for the Tucson region has long been an integral part of the CAP system. The Plan Six Agreement, adopted by Phoenix area users and the City of Tucson in 1986, assured Tucson a CAP supply as reliable as that of the Phoenix area. Greater reliability will make it easier to implement the Southern Arizona Water Rights Settlement Act , which contains provisions for reliability of the Tohono O'odham supply. If major investments to use CAP water are made by the Nation, the San Xavier District, or individual allottees, the supply must be dependable. Equally important is the fact that reliability will be necessary for any mining operations who would use the CAP water.

The Environmental Impact Statement (EIS) is nearly complete, and Tucson has expended over $200 million dollars in the past fifteen years to prepare for the treatment and delivery of CAP water to its customers; though we have met some temporary setbacks in using the water, Tucson represents the largest subcontractor of CAP water. Completing the EIS and subsequently the terminal storage project is crucial to the future of our community and our goal of ensuring a long term water supply for the Tucson Region. I urge funding for the completion of the Environmental Impact Statement. Your continued support is vital and very much appreciated.

WEDNESDAY, MARCH 6, 1996.

MUNICIPAL AND RURAL WATER SUPPLY PROJECT

WITNESS

COLIN CLOUD HAMPSON, REPRESENTING CALEB SHIELDS, CHAIRMAN, EXECUTIVE BOARD OF THE ASSINIBOINE AND SIOUX TRIBES OF THE FORT PECK INDIAN RESERVATION

Mr. MYERS. Caleb Shields, Chairman of the Fort Peck tribes.

Mr. Shields, your prepared statement will be placed in the record, and you may proceed as you like for the next 5 minutes.

Mr. HAMPSON. Okay. Thank you, Mr. Chairman.

Members of the committee, my name is Colin Hampson. I am here representing Chairman Shields of the Assiniboine and Sioux tribes of the Fort Peck Indian Reservation located in northeastern Montana.

The tribes seek the committee's support to ensure that a safe and reliable water supply will be available throughout our Reservation and our region. The Fort Peck tribes respectfully request funds to continue planning of the Fort Peck Sioux and Assiniboine Municipal, Rural and Industrial Water Project in the amount of $210,000 from the Bureau of Reclamation's general investigations budget.

The tribes would like to thank the committee for its past support of this project. The funds previously appropriated funded the needs assessment and the feasibility study. Both of these reports were important steps in the process of realizing this project.

The funds requested for fiscal year 1997 will be used to conduct the final plan studies of the project for the Reservation and to incorporate planning studies for the off–Reservation communities into a final engineering report. The tribes urge the subcommittee to inquire of the Bureau of Reclamation respecting the capability of the tribes to effectively utilize the fiscal year 1997 funds.

As the committee knows, the needs assessment completed by the tribes and the Bureau of Reclamation found significant problems with the existing water sources on the Fort Peck Reservation.

Specifically, the needs assessment documented the deficiencies, both in quantity and quality, of the water supply for Indian as well as nonIndian residents of the Reservation. This needs assessment also examined the current and expected future water needs of the Reservation. The study confirmed the need for an MR&I project for the Fort Peck Reservation.

The quality of our water is comparably poorer than that of other projects that the subcommittee is now assisting. Table 1, which is included in with our statement for the record, compares water quality of communities within the proposed Fort Peck project area with the water quality of communities in other projects authorized or pending before Congress.

The tribe's plan is to meet our water needs with a Reservation-wide piped distribution system, using Missouri River water. This type of system has been successfully used in the Dakotas and brings economies of scale to reduce project construction and operation and maintenance costs. Our design population of 19,902 persons on the Reservation can be served with relatively short pipeline distances extending 75 miles from the treatment plant to the most distant locations. Most of the demand lies within a 30-mile distance from the treatment plant.

Because all residents of this region have extremely poor water quality, several off-Reservation communities have also indicated significant interest in this project. Communities around the eastern, western and northern boundaries of the Reservation rely primarily on groundwater, which is poor and comparable to groundwater supplies on the Reservation.

The best way to address, we feel, the concerns of our—of the off-Reservation neighbors is to include their communities in our project as initial participants. This would realize savings for them, the State of Montana and the Federal Government. The requested funds will assist us in developing a cost-effective project with a cost-sharing formula for off-Reservation facilities that is acceptable to local communities and to Congress. We hope that, ultimately, this project will not only improve the health and economy of the entire region but also strengthen our relationship with our neighboring communities.

The tribes' initial cost report concludes that the total project cost to serve the entire Reservation and sized to carry off-Reservation water demands is $101 million. This amount includes the cost of facilities to carry water to meet off-Reservation municipal, rural and industrial demands. Assuming a cost share of 75 percent Federal, 25 percent local under the Safe Drinking Water Act, the local cost share would be less than $4 million.

The cost of annual operation and maintenance of the facilities of the Fort Peck tribes to deliver water to off-Reservation communities is estimated at $1.12 per thousand gallons. Off-reservation users will have additional costs per thousand gallons to reflect the cost of operating and maintaining off-Reservation transmission and distribution facilities. These costs are not yet determined. The $210,000 requested by the tribes will enable the tribes to finalize this cost analysis.

We are now working with the Montana delegation to introduce legislation to authorize the construction of this project. The assistance of the committee with fiscal year 1997 appropriations in the amount of $210,000 will go far in assisting the tribes in this worthwhile project. Not only will their drinking water supplies in the region be markedly improved, the residents of the Reservation, Indian and non-Indian, will benefit from the employment and earnings provided by construction; and we can work side-by-side with our northeast Montana neighbors to develop a quality project for the improvement and health—and economy for all.

Mr. MYERS. Thank you very much.

Mr. HAMPSON. Thank you, Mr. Chairman.

[The statement of Mr. Hampson follows:]

TESTIMONY OF THE ASSINIBOINE AND SIOUX TRIBES OF THE FORT PECK RESERVATION, MONTANA, BEFORE THE HOUSE APPROPRIATIONS COMMITTEE, SUBCOMMITTEE ON ENERGY AND WATER, MARCH 6, 1996

A. THE FORT PECK RURAL, MUNICIPAL AND INDUSTRIAL WATER SUPPLY PROJECT

The Assiniboine and Sioux Tribes of Fort Peck Indian Reservation of Northern Montana seek the Committee's support to ensure that a safe and reliable water supply will be available throughout our Reservation and our Region. The Fort Peck Tribes respectfully request funds to continue planning the Fort Peck Sioux and Assiniboine Municipal, Rural and Industrial Water (FPSAMRI) Project in the amount of $210,000 from the Bureau of Reclamation's General Investigations budget.

The Tribes would like to thank the Committee for its past support of this Project. The funds previously appropriated funded the Needs Assessment and the Feasibility Study. Both of these reports were important steps in the process of realizing this Project.

The funds requested for FY 97 will be used to conduct the final planning studies of the Project for the Reservation and to incorporate planning studies for the off Reservation communities into a Final Engineering Report. The Tribes urge the Subcommittee to inquire of the Bureau of Reclamation respecting the capability of the Tribes to effectively utilize the FY 97 funds.

As the Committee knows, the Needs Assessment completed by the Tribes and the Bureau of Reclamation found significant problems with the existing water sources on the Fort Peck Reservation.

Specifically, the Needs Assessment documented the deficiencies, both in quantity and quality, of the water supply for Indian and non-Indian residents of the Reservation. This Needs Assessment also examined the current and expected future water needs of the Reservation. The study confirmed the need for an MR&I project for the Fort Peck Reservation.

The quality of our water is comparably poorer than that of the other Projects that the Subcommittee is now assisting. Table 1 compares water quality of communities within the proposed Fort Peck Project Area with water quality of communities in other Projects authorized or pending before Congress. As Table 1 discloses, the general chemical quality of the water as measured by total dissolved solids and sulfates is comparable in the Fort Peck area with other on-going or pending projects.

The Tribes plan to meet our water needs with a Reservation-wide piped distribution system, using Missouri River water. This type of system has been successfully used in the Dakotas and brings economies of scale to reduce project construction and operation and maintenance costs. Our design population of 19,902 persons can be served with relatively short pipeline distances extending 75 miles from the treatment plant to the most distant locations. Most of the demand lies within a 30 mile distance from the treatment plant.

Because all residents of this Region have extremely poor water quality, several off-Reservation communities have indicated significant interest in this Project. Communities around the eastern, western and northern boundaries of the Reservation rely primarily on groundwater, which is poor and comparable to groundwater supplies on the Reservation.

The best way to address the concerns of our off-Reservation neighbors is to include their communities in our Project as initial participants. This would realize savings for them, the State of Montana, and the Federal Government. The requested funds will assist us in developing a cost effective project with a cost sharing formula for off-reservation facilities that is acceptable to local communities and Congress. We hope that ultimately this Project will not only improve the health and the economy of the entire region, but also strengthen our relationship with our neighboring communities.

The Tribes' initial cost report concludes that the total Project cost to serve the entire Reservation and sized to carry off-reservation water demands is $101 million. This amount includes the cost of facilities to carry water to meet off-reservation municipal, rural and industrial demands. Assuming a cost share of 75% federal and 25% local under the Safe Drinking Water Act the local cost share would be less than $4 million.

The cost of annual operation and maintenance of the facilities of the Fort Peck Tribes to deliver water to off-reservation communities is estimated at $1.12 per thousand gallons. Off-reservation users will have additional costs per thousand gallons to reflect the cost of operating and maintaining off-reservation transmission and distribution facilities. Those costs are not yet determined. The $210,000 requested by the Tribes will enable the Tribes to finalize this cost analysis.

Table I

WATER QUALITY INDICATORS OF COMPARABLE PROJECTS

SULFATES AND TOTAL DISSOLVED SOLIDS MARKED FROM POOREST TO BEST

Project	Community	Sulfate 1mg/1	Project	Community	Total Dissolved Solids (mg/1)
Lewis and Clark	Upper Limit	1,500	Fort Peck	Fort Kipp	2,731
Mni Wiconi	Rolishoo	1,139	Lewis and Clark	Upper Limit	2,603
Fort Peck	Fort Kipp	1,120	Moi Wiconi	Red Shirt	2,331
Mni Wiconi	Red Shirt	1,080	Moi Wiconi	Reliance	2,051
Mni Wiconi	Murdo	1,042	Moi Wiconi	Murdo	1,701
Mni Wiconi	Kannebac	954	Moi Wiconi	Kannebec	1,763
Mni Wiconi	Prasho	644	Moi Wiconi	Prasho	1,393
Lewis and Clark	Lower Limit	538	Fort Peck	Poplar	1,389
Fort Peck	Frazer	498	Fort Peck	Frazer	1,103
Mni Wiconi	Horse Creek	410	Lewis and Clark	Lower Limit	1,178
Mni Wiconi	Wakpanni Lake	398	Mni Wiconi	Wakpanni Lake	1,125
Fort Peck	Brockton	212	Mni Wiconi	Horse Creek	883
Fort Peck	Poplar	103	Fort Peck	Brockton	741
Mni Wiconi	Pine Ridge Village	70	Mni Wiconi	Pine Ridge Village	436

WEDNESDAY, MARCH 6, 1996.

BIOMASS COGENERATION PROGRAM OF THE DEPARTMENT OF ENERGY

WITNESS

SY A. ALI, DIRECTOR, ADVANCED INDUSTRIAL PROGRAMS, ALLISON ENGINE COMPANY

Mr. MYERS. We are awaiting a couple of members. Sy, would you like—are you ready to give your testimony?

Mr. ALI. Yes, sir.

Mr. MYERS. We are waiting for a couple of members. The members aren't here. I think they would like to be here. So you have 5 minutes.

Mr. ALI. Thank you very much, Mr. Chairman.

Mr. MYERS. This is Sy Ali, Director of Advanced Industrial Programs of the Allison Engine Company. So your prepared statement will be placed in the record, and you may continue for the next 5 minutes.

Mr. ALI. Yes, sir. I have the written testimony, and I have copies of the brief written testimony as well.

Mr. MYERS. They will be placed in the record, and you may proceed as you like.

Mr. ALI. Thank you very much.

My name is Sy Ali. I am Director of Advanced Industrial Programs at Allison Engine Company in Indianapolis. Allison is in the business of manufacturing gas turbines for power generation, cogeneration and military engines as well as commercial aircraft engines.

I appear before this committee to endorse the Biomass Cogeneration Program of the Office of Industrial Technologies within the Department of Energy.

Gas turbines are inherently more efficient than other forms of energy conversion systems for electric power and processed steam. Biomass gas turbines would provide greater economic benefits due to their higher value energy conversion. Current industrial biomass conversion systems either produce only processed steam or utilize steam turbines which produce electricity. Gas turbines are more efficient power generators and, consequently, can provide a higher revenue stream per unit input of fuel energy than for existing biomass utilization systems.

The development of industrial gas turbines to utilize biomass and coal-derived fuels and meet the electric power and steam needs of "vision industries" would be of national benefit. Vision industries include the seven industries that the Department of Energy Office of Industrial Technologies is concentrating on. This is a $700 billion industry, and I believe that application of biomass gas turbines in that industry would be highly beneficial.

These industries utilize approximately 56,000 megawatts of electric power. They are also major producers of biomass and other byproducts. The byproducts are currently used as fuel in less efficient and environmentally inferior energy conversion devices to generate power system and steam. The power requirements of these industries could be reduced by 5 percent or more by using the byproducts in more efficient gas turbines. The biomass turbines would also help improve the local and regional environmental quality.

The primary objective of the biomass turbine initiative is to provide the technology base necessary for developing turbine systems that can produce energy from biofuels and coal-derived fuels. Gas turbines are designed to operate with clean fuels. Rugged versions of turbines will be needed to operate with biomass fuels. Rugged turbines are designed for increased tolerance to contaminants in biofuels and coal-derived fuels. The biomass turbine project would help solve this technology challenge. Government sponsorship of technology development to address the risks issue of industrial turbines utilizing biomass would result in national economic and environmental benefits.

The most significant benefits of biomass turbines to your citizens are:

Overall improvement in environment.

Productivity improvement in key vision industries, resulting in lower cost of finished products resulting from reduced electric cost and enhancing net exports.

Positive economic benefits from clean energy by converting biomass waste which as waste has a negative economic impact.

Improvement in environmental quality through major reduction in pollutant emissions and greenhouse gases.

Protection of jobs in the industries of the future through improved competitive position of U.S. products in the global market. It is estimated that approximately 3 to 5 percent of the products made by these industries could be reduced by efficient power turbine systems.

Potential payoff to U.S. taxpayers several times the value of initial investment in biomass turbine technology. Just the improvement of 3 percent in the energy consumed by these energies would result in $700 million of annual savings.

To accomplish these goals, it is strongly recommended that the biomass turbine program of the Department of Energy Office of Industrial Technologies should be funded at the level of $6 million in fiscal year 1997.

Thank you very much, Mr. Chairman.

Mr. MYERS. Thank you, Dr. Ali, for pinch-hitting here for us and keep the thing going. Thank you very much for your fine testimony.

Mr. ALI. Thank you.

[The statement of Mr. Ali follows:]

Allison

Allison Engine Company P.O. Box 420 Indianapolis, Indiana 46206-0420

TESTIMONY BEFORE THE

HOUSE APPROPRIATIONS SUBCOMMITTEE

ON ENERGY AND WATER DEVELOPMENT

ON BIOMASS COGENERATION PROGRAM OF THE DEPARTMENT OF ENERGY

Dr. Sy A. Ali
Director, Advanced Industrial Programs
Allison Engine Company

March 6, 1996

Allison

Allison Engine Company P.O Box 420 Indianapolis, Indiana 46206-0420

Dr. Sy A. Ali
Director, Advanced Industrial Programs
Allison Engine Company

EXECUTIVE SUMMARY: Mr. Chairman, members of the Committee, my name is Sy Ali. I am Director, Advanced Industrial Programs at Allison Engine Company (Allison) in Indianapolis, Indiana. Allison is in the business of manufacturing and marketing gas turbines for power generation, cogeneration, and military and commercial aircraft engines.

I appear before this Committee to **endorse the Biomass Cogeneration program of the Office of Industrial Technologies within the Department of Energy** (DOE).

Gas turbines are inherently more efficient than other forms of energy conversion systems for electric power and process steam. **Biomass gas turbines would provide greater economic benefits** due to their higher value energy conversion. Current industrial biomass conversion systems either produce only process steam or utilize steam turbines which produce electricity. **Gas turbines are more efficient power generators, and** consequently **can provide a higher revenue stream** per unit input of fuel energy than for existing biomass utilization systems.

The development of industrial **gas turbines to utilize biofuels and meet the electric power and steam needs of "Vision Industries"** would be of **national benefit.** These industries use approximately 56,000 MW of electric power. They are also major producers of biomass and other byproducts. These byproducts are currently used as fuels in less efficient and environmentally inferior energy conversion devices to generate power and steam. The power requirements of these industries could be reduced by 5% or more by using the byproducts in more efficient gas turbines. The biomass turbines would also **help improve the local and regional environmental quality**.

The primary objective of the biomass turbine initiative is to provide **the technology base necessary for developing turbine systems that can produce energy from biofuels.** Gas turbines are designed to operate with clean fuels. Rugged versions of turbines will be needed to operate with biomass fuels. Rugged turbines are designed for increased tolerance to contaminants in biofuels. The biomass turbine project would help solve this technology challenge. Government sponsorship of technology development to address the risk issues of industrial gas turbines using biomass would result in national economic and environmental benefits.

AEROSPACE GROUP

NATIONAL BENEFITS: The most significant benefits of biomass turbines to U.S. citizens are:

- **Improved** overall **environment**.

- **Productivity improvement** in key Vision Industries, resulting in **lower cost of finished products resulting from reduced electric cost, and enhancing net exports**.

- Positive economic benefits from **clean energy** by converting biomass waste which as waste has a negative economic impact.

- Improvement in environmental quality through **major reductions in pollutants emission.**

- Protection of **jobs** in the Industries of Future through **improved competitive position of U.S. products** in global markets.

- **Potential payoff to U.S. taxpayers** several times the value of the initial investment in biomass turbine technology.

RECOMMENDATION: To accomplish these goals, it is strongly recommended that **the Biomass Turbine program** of the Department of Energy , Office of Industrial Technologies **should be funded at a level of $6 million in FY `97.**

WEDNESDAY, MARCH 6, 1996.

WOLF RIVER BASIN

WITNESS

HON. HAROLD FORD, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TENNESSEE

Mr. MYERS. Our colleague Harold Ford from Tennessee.

Harold, your prepared statement will be placed in the record, and you may proceed for 5 minutes as you like.

Mr. FORD. Thank you very much, Mr. Chairman.

I am delighted to be here with you today—you, Chairman Myers, and Ranking Member Bevill and other members of the committee. I want to thank you for this opportunity. I know that time is of essence, and I would like to request that my full statement be made a part of the record.

As you know, I am a Congressman from the Ninth Congressional District of Tennessee, and I have certainly testified before this committee on other occasions. Back I guess in September of 1992 the House Committee on Public Works and Transportation adopted a resolution directing the U.S. Army Corps of Engineers to determine its modification—if modifications were advisable with respect to flood control, environmental restoration, wetlands protection and recreation in the Wolf River Corridor.

During the 103rd Congress, the committee provided $450,000 for the initial phase of the reconnaissance report, better known as the Wolf River restoration project. This report indicates that significant benefits can be achieved by the implementation of an environmental restoration project within the Wolf River basin in terms of protecting valuable public infrastructures such as bridges, sewer and gas lines and important natural resources such as wetlands and floodplains.

By assisting in this restoration effort, the Corps of Engineers has been able to fulfill its commitment to sound water control and protection for people in the Shelby County area, which is my district, and the rural western part of Tennessee, which is Fayette County, as well. Federal assistance was central to the creation of the Wolf River restoration project; and, without continuing funding, Mr. Chairman, its future is in doubt; and that is why I am here before this committee today.

Back in 1992, the House Committee on Public Works and Transportation also adopted a resolution providing for modification of the Wolf River Harbor in the interest of navigation, recreation and debris removal. Memphis' increased popularity as a tourist destination and an ever-increasing number of people living in the area make improvements along the harbor very central.

That is why we are coming to this committee today, to ask that you look at the Memphis Harbor and also fund about $428,000 for that study. The harbor is currently cluttered with abandoned objects and other debris which may damage vessels and, even worse, threaten the public safety of individuals who live in our area, whether it be for that area for development or recreational enjoyment. Therefore, as I said earlier, I am requesting $428,000 be made available to initiate and to complete this Memphis Harbor project.

We have already started with one study, and we feel very confident that this second study is needed, and we would ask this subcommittee to take a look at that. You are the appropriating committee. We know that the Subcommittee on Transportation will have to look at it and make the recommendations here, Mr. Myers.

Mr. Chairman, as well, we all remember the devastation brought about by major floods in the Midwest in 1993 and 1995, in California and in Louisiana in 1995, and most recently this past winter in Oregon and Pennsylvania. We have noticed that we have had problems, you know, and we waited so late without many of these studies, and we have not seen—under severe budget restraints that we are working under in this Congress. We don't see monies being appropriated for certain projects, that we feel that we could head off and save taxpayers a lot of money.

These events demonstrate just how vulnerable we are to Mother Nature and that we must take action to be better prepared. I think that this is one of the things that we are pointing out today, that we have seen in the past that we have been able to take this action.

Just last year, my district was threatened by high waters from the Mississippi River, which required implementing emergency control measures. In order to prevent the people of the Mid-South from suffering from devastation, I and other members of the Tennessee and Mississippi delegations request a review of the situation in a letter to the Chairman of the House Committee on Transportation and Infrastructure. I do have a copy of that letter, Mr. Chairman, and I would ask that you would make that a part of the record here today as well.

[The information follows:]

. ED BRYANT
7TH DISTRICT, TENNESSEE

COMMITTEE ON THE JUDICIARY
SUBCOMMITTEES:
CRIME
IMMIGRATION AND CLAIMS

COMMITTEE ON AGRICULTURE
SUBCOMMITTEES:
DEPARTMENT OPERATIONS
NUTRITION AND FOREIGN AGRICULTURE
RISK MANAGEMENT AND SPECIALTY CROPS

Congress of the United States
House of Representatives
Washington, DC 20515–4207

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202–225–2811

DISTRICT OFFICES
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CLARKSVILLE, TN 37040–3210
615–503–0391

5909 SHELBY OAKS DRIVE
SUITE 213
MEMPHIS, TN 38134
901–382–5811

810½ SOUTH GARDEN ST
COLUMBIA, TN 38401
615–381–8100

January 23, 1996

The Honorable Bud Shuster
Chairman
House Committee on Transportation and Infrastructure
2165 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

A number of our constituents and local officials have contacted us regarding their concerns about the potential threat to life and property due to possible flooding of the Mississippi River in Shelby, Tipton, and Fayette Counties, Tennessee and Desoto and Marshall Counties, Mississippi. Severe floods, such as those which occurred in the Midwest in 1993 and 1995, have raised concerns about these counties' ability to handle a similar disaster.

In an effort to avoid the tragedy experienced in the Midwest, we would like to express our support for a Corps of Engineers review of the effectiveness of existing federal and non-federal improvements including levees, drainage structures, pumping stations, storm water collection systems, and channels. Based on this review, the Corps should make recommendations regarding the need for additional improvements to prevent flooding from storm water, and to improve the quality of water entering the Mississippi River and its tributaries.

When the appropriate time comes in your committee we would appreciate your consideration of such a review. This would enable the Corps of Engineers, subject to the receipt of funding, to conduct a study of these counties' needs and to determine the need for improvements for flood control and water quality. For your information, we have enclosed a copy of a letter from the Mayor of Shelby County, Tennessee, detailing his concerns and recommendations.

We appreciate your assistance in this matter. Should you need any further information or require formal testimony from either of us or from our constituents, please feel free to contact us.

Sincerely,

Ed Bryant
Ed Bryant, M.C.

Harold Ford, M.C.

John Tanner, M.C.

Wicker
Roger Wicker, M.C.

Mr. FORD. I urge the committee, as I close, to act upon this project and provide funding for the initiation of studies in this matter. Studies show that the 100-year flood profile has increased up to 2 feet in some locations, and similar situations are expected throughout. The very growth and development that strengthens our Nation is taxing our old and inadequate infrastructures throughout America.

Mr. Chairman, this is particularly true for the Memphis metropolitan area, which serves as a major trade distribution and a finance center for the whole region of the mid-southern United States. There are several areas in this study that deserve special attention, Fletcher Creek, McKellar Lake, Hollywood Dump and the Wolf Harbor. I intend to encourage the Corps to look into these problems early on in this process of this study.

We must, as a Nation, plan and protect our resources and not wait until a disaster hits. Let me cite for an example a 1989 investigation which showed that the erosion of a stream bank in the bottom of the Wolf River at the U.S. highway 51 in my area, which a crossing in North Memphis, was endangered—it really endangered the stability of a bridge. The bridge was temporarily closed, and thousands of travelers on this route daily were placed in finding other routes, and it was a real inconvenience for all of them.

Through the cooperative efforts of the State of Tennessee and the U.S. Corps of Engineers, the channel at the Highway 51 crossing over the Wolf River has been stabilized, and this major thoroughfare is again open. The traffic is safe, and the people are safe once again. This project was accomplished under the authority of Section 14 of the Flood Control Act of 1946 at a Federal cost of some $500,000. That investment has ensured the safety of countless lives and has saved American taxpayers millions of dollars.

Mr. Chairman, I seek the help from this subcommittee today and the appropriations of the $428,000 for this study. We can assure you that those dollars will be well invested, and the people of my area and the whole region of Tennessee and Mississippi will certainly benefit from this. Naturally, our neighbor and State of Alabama, where you are from, Mr. Bevill, will also be benefited.

Mr. BEVILL. You have made a very important point.

Mr. FORD. I thought so, Mr. Chairman.

Mr. MYERS. Thank you for your statement. As you know, we are pressed by the budget process, too. That is where we are having the problems. We will do the best we can. We thank you for your testimony.

Mr. FORD. I would like to—for the record. I know it was supposed to be about 5 minutes. It was about a 10-minute message, but I would like to also have a copy of the letter made a part of the record.

Mr. MYERS. You used a better part of 10 minutes anyway. Time goes fast when you are having fun, doesn't it?

Mr. FORD. Thank you, sir. I appreciate it.

[The statement of Mr. Ford follows:]

Testimony of the Honorable Harold Ford

before the

Subcommittee on Energy and Water Development

Committee on Appropriations

Room 2362B

Wednesday, March 6, 1996

Chairman Meyers and Ranking Member Bevill, I would like to thank you for the opportunity to appear before you today to testify on behalf of several projects that greatly affect the residents of Tennessee's 9th Congressional District and the entire Mid-South region.

I have testified before you on several occasions regarding the Wolf River Corridor. In September of 1992, the House Committee on Public Works and Transportation adopted a resolution, directing the U.S. Army Corps of Engineers to determine if modifications were advisable with respect to flood control, environmental restorations, wetlands protection and recreation in the Wolf River Corridor.

During the 103rd Congress, the Committee provided $450,000 for the initial phase of the reconnaissance report, better known as the Wolf River Restoration project. The reconnaissance report, indicates that significant benefits can be achieved from implementation of an environmental restoration project within the Wolf River basin in terms of protecting valuable public infrastructure such as bridges, sewers and gas lines and important natural resources, such as, wetlands and floodplains.

By assisting in the restoration effort, the Corps of Engineers has been able to fulfill its commitment to sound water control and protection for the people of Shelby and Fayette counties in Tennessee. Federal assistance was essential to the creation of the Wolf River Restoration project and without continued funding, its future is in doubt. Should the program fail to stop the erosion, flood control along the Wolf River and other tributaries of the Mississippi River would become significantly more difficult.

In 1992, the House Committee on Public Works and Transportation also adopted a resolution providing for modification of the Wolf River Harbor in the interest of navigation, recreation and debris removal. Memphis' increased popularity as a tourist destination and the ever increasing number of people living in the area, make these improvements along the harbor essential.

The harbor is currently cluttered with abandoned objects and other debris which may damage vessels and even worse, threaten public health and safety, as well as, recreational enjoyment.

Therefore, I respectfully request that funds in the amount of $428,000 be made available to initiate and complete a reconnaissance study for this project.

Mr. Chairman, we all remember the devastation brought about by major floods, in the Midwest in 1993 and 1995; in California and Louisiana, in 1995 and most recently this past winter in Pennsylvania and Oregon. These events demonstrate just how vulnerable we are to Mother Nature and that we must take action to be better prepared.

Just last year, my district was threatened by high waters from the Mississippi River which required implementing emergency flood control measures. In order to prevent the people of the Mid-South suffering such devastation, I and other members of the Tennessee and Mississippi delegations requested a review of the situation in a letter to the Chairman of House Committee on Transportation and Infrastructure. I urge the Committee to act upon this request and provide funding for initiation of studies of this matter.

Studies show that the 100 year flood profile has increased up to 2 feet in some locations and similar situations are expected throughout. The very growth and development that strengthen our nation is taxing our old and inadequate infrastructure.

Mr. Chairman, this is particularly true for the Memphis Metropolitan area which serves as the major trade, distribution and finance center for the Mid-Southern United States. There are several areas of this study that deserve special attention, Fletcher Creek, McKellar Lake, Hollywood Dump and the Wolf Harbor. I intend to encourage the Corps to look into these problems early in the study process.

We must, as a nation, plan and protect our resources and not wait until disaster hits. Let me sight an example. In 1989, investigations showed that erosion of the streambanks and bottom of the Wolf River at the U.S. Highway 51 crossing in North Memphis, was endangering the stability of the bridge. The bridge was temporarily closed and the thousands who travel this route daily were forced to use other routes.

Through the cooperative efforts of the State of TN and the US Army Corps of Engineers, the channel at the Highway 51 crossing over the Wolf River has been stabilized and this major thoroughfare is again safe for traffic. This project was accomplished under the authority of Section 14 of the Flood Control Act of 1946 at a Federal cost of $500,000.

That investment has insured the safety of countless lives and has saved American taxpayers millions of dollars by preventing the bridge from literally falling into the river. Unfortunately, if this request had come to the Corps in the mid 1990's, they would have been added to the backlog of unfunded studies and projects.

The established Federal funding limit for the total Continuing Authorities Program is $165 million but appropriations have dropped from $50.5 million in FY92 to $34.25 million in FY96 thus creating the current backlog of unanswered requests.

The CAP represents a more streamlined and cost effective process for solving water resource problems. Therefore, I ask that the Continuing Authorities Program be funded at a level commensurate with the need for water resource projects that can be addressed by these authorities.

And finally, Mr. Chairman, I agree with the words of the Committee in last year's appropriations bill. The Corps study process takes too long. We must devise a way to identify worthwhile projects earlier in the process, have them authorized and funded to save billions of dollars in flood damage payments and environmental losses.

I thank you for your consideration.

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WEDNESDAY, MARCH 6, 1996.

ANIMAS-LA PLATA PROJECT

WITNESS

HON. SCOTT McINNIS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF COLORADO

Mr. MYERS. Our colleague from Colorado, Scott McInnis. You have both the Southern Utes, I believe, and the Mountain Utes, and you have got the Southwestern Water Conservation District, the Animas-La Plata Conservancy District and the San Juan Water Commission. You are recognized now for the—and your associates here—for the next 15 minutes.

Mr. MCINNIS. Thank you, Mr. Chairman.

Mr. MYERS. Your entire statements will be—prepared statements will be placed in the record, and you may proceed.

Mr. MCINNIS. Thank you, Mr. Chairman, the committee and especially Mr. Bevill.

We were just out in the hallway talking to Mr. Chairman and Mr. Bevill about how much we are going to miss your long-time dedication and understanding of water for the western part of this country. Your years of commitment and your years of care about not just the Indian native Americans in our State but water issues out there will not be forgotten. You are going to be sorely missed.

Mr. BEVILL. Thank you. You have been great to work with. I appreciate every one of you. I think that we are well on our way now, don't you?

Mr. MCINNIS. I do.

Mr. BEVILL. With the projects?

Mr. MYERS. We have Members coming in here who can handle it.

Mr. MCINNIS. I can tell you well the best description of you two is you are gentlemen.

Mr. MYERS. Thank you.

Mr. MCINNIS. I mean that.

Mr. MYERS. It is nice to be in your memory.

Mr. BEVILL. Be sure and get that in the record.

Mr. MCINNIS. Mr. Chairman, I do appreciate the opportunity to testify before the subcommittee to express my support of the Animas-La Plata project. I appreciate your continued involvement in this project as the Southern Ute, Ute Mountain Ute Indians and the Federal Government work towards completion of the terms of the Colorado Ute Indian Water Rights Settlement Act.

Here to testify with me here today are Chairman—Chairwoman, excuse me, Judy Knight-Frank of the Ute Mountain Ute Tribe; Chairman Leonard Burch of the Southern Ute Tribe; Jim Lochhead, Executive Director of the Colorado Department of Natural Resources; Sherry Galloway, Chairwoman of the San Juan County Board of County Commissioners; and Steve Harris, President of the Animas-La Plata Water Board.

[The statement of Mr. McInnis follows:]

STATEMENT BY THE HONORABLE
SCOTT McINNIS
BEFORE THE HOUSE COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

March 6, 1996

SUMMARY: ANIMAS-LA PLATA PROJECT

Mr. Chairman, I appreciate the opportunity to testify before the subcommittee to express my support of the Animas-La Plata project. I appreciate your continued involvement in this process as the Southern Ute, Ute Mountain Ute Indians and the federal government work towards the completion of the terms of the Colorado Ute Indian Water Rights Settlement Act. Here to testify with me today are; Chairwoman Judy Knight-Frank of the Ute Mountain Ute Tribe, Chairman Leonard Burch of the Southern Ute Tribe, Jim Lockhead Executive Director of the Colorado Department of Natural Resources, Sherry Galloway, Chairwoman of the San Juan County Board of County Commissioners, and Steve Harris, President of the Animas La-Plata Water Board.

The construction of the Animas-La Plata project is a major element of this settlement. This Agreement was reached in 1986, and enacted in 1988. The Southern Ute and Colorado Mountain Ute Indian Tribes negotiated in good faith with the United States to reach this settlement. This treaty stands as our promise that the Federal government would be a partner to Southwestern Colorado and Northern New Mexico in an effort to best utilize the limited water resources in the area. Making good on promises to Native Americans is a top priority, and so I am asking again for your further assistance in making that Act ring true, not hollow. Simply put, the United States government has made a commitment, a responsibility to the Tribes, that it must fulfill.

If the project had followed its scheduled plan for completion we would not be here today. However, bureaucratic red tape has resulted in significant construction delays. It has never been suggested that any environmental laws should be neglected. There is a long history of records that reflect the efforts of the Tribes to comply with every statute, including the National Environmental Policy Act, the Endangered Species Act and the Clean Water Act.

The 1988 Colorado Ute Settlement is an example of the great success that can be achieved when the Tribes and state water communities work together. Failure to provide the necessary funding to realize the terms of this agreement will send a negative message to other States and Tribes that the U.S. Congress does not support these efforts.

All parties involved in this process will need to work together to complete this project. This includes your Committee and its members, the Southern Ute Tribe, the Ute Mountain Ute Tribe, and the Department of Interior with Secretary Babbitt. I ask that you consider funding this project. Funding is necessary to complete this project as promised in the Settlement Act.

Thank you.

WEDNESDAY, MARCH 6, 1996.

ANIMAS-LA PLATA PROJECT

WITNESSES

JUDY KNIGHT-FRANK, CHAIRWOMAN, UTE MOUNTAIN UTE TRIBE
LEONARD BURCH, CHAIRMAN, SOUTHERN UTE TRIBE
JIM LOCHHEAD, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF NATURAL RESOURCES
SHERRY GALLOWAY, CHAIRWOMAN, SAN JUAN COUNTY BOARD OF COUNTY COMMISSIONERS
STEVE HARRIS, PRESIDENT, ANIMAS-LA PLATA WATER BOARD

Mr. MCINNIS. Mr. Chairman, I would like to start out with the representative of the Governor of the State of Colorado, a good friend of mine, a next-door neighbor of mine, Mr. Lochhead, who is the Director of the Colorado Department of Natural Resources.

Mr. LOCHHEAD. Thank you, Congressman.

Mr. Chairman, members of the Committee, my name is Jim Lochhead. I am the Executive Director of the Colorado Department of Natural Resources. I am here representing Governor Roy Romer, who has been a stalwart supporter for the resolution of Indian water rights disputes and the construction of the Animas-La Plata Project in Colorado and New Mexico.

Colorado and local water users have committed to the investment of over $60 million and the State has spent nearly $12 million in cost share toward the resolution of the Ute Indians water rights claims since 1976 when the United States first filed applications for reserve water rights in Colorado district court. The reserve water rights claims of the Southern Ute and Ute Mountain Ute Tribes in Colorado predate Colorado statehood and affect 26 rivers and streams in Colorado and New Mexico.

It is now 20 years later and after many costly delays the construction of the Animas-La Plata Project is scheduled to start in 1996 fiscal year, upon completion of a Supplemental Environmental Impact Statement. Although a Final Environmental Impact Statement was prepared in 1980 that examined more than 100 project alternatives, the Bureau of Reclamation decided to prepare a Supplemental Environmental Impact Statement prior to actually initiating construction of the project.

The Animas-La Plata Project is the keystone of the Colorado Ute Settlement Act which became law in 1988. This remarkable law and the 1986 cooperative settlement agreement that it codifies were the product of much work and cooperation between the two tribes, their nonIndian neighbors and the States of Colorado and New Mexico.

The key to making the settlement work is the construction of the Animas-La Plata Project, a Federal reclamation project authorized in 1968 as a participating project under the Colorado River Storage Project Act. The project will provide water that the Southern Ute and Ute Mountain Ute tribes accepted in exchange for their senior water right claims on those southwestern Colorado streams.

Pursuant to the act and the settlement agreement, if the facilities needed to provide water for the tribes are not completed on time, the tribes will be forced to return to court to litigate their water rights claims. In fact, the prompt construction of the Animas-La Plata Project is the only commitment within the settlement agreement which has not been met.

In addition to financial commitments, the State has, through the Colorado water courts, appropriated numerous Federal reserved water rights for the tribes' agricultural and domestic needs. In short, the State has done everything it was required to do to meet its obligations under the 1988 Settlement Agreement. It is now time for the Federal Government to follow through on its commitments under the Settlement Agreement.

In conclusion, when Governor Romer addressed the House Committee on Interior and Insular Affairs in support of the passage of the Settlement Act in 1987, he said, the Animas-La Plata project is the linchpin of the Settlement Agreement. Without it, indeed, there is no settlement. It, along with the Delores Project, are the only means by which the tribes can receive substantial amounts of water without disrupting established nonIndian claims in southwestern Colorado.

In short, the essential ingredient of a workable settlement is a project that benefits Indians and nonIndians alike. These words are as true today as they were nearly 10 years ago. Therefore, we support the appropriation of $36.5 million that may be needed to begin construction of the Animas-La Plata Project when the Federal Environmental Impact Statement process has been successfully completed.

Thank you, Mr. Chairman.

[The statement of Mr. Lochhead follows:]

STATEMENT OF JAMES S. LOCHHEAD
EXECUTIVE DIRECTOR
COLORADO DEPARTMENT OF NATURAL RESOURCES
BEFORE THE
HOUSE APPROPRIATIONS SUBCOMMITTEE ON
ENERGY AND WATER DEVELOPMENT
WASHINGTON, D.C.
MARCH 6, 1996

Mr. Chairman and Members of the Committee:

My name is Jim Lochhead and I am the Executive Director of the Colorado Department of Natural Resources. I am here representing Governor Roy Romer who has been a stalwart supporter for the resolution of Indian water disputes and the construction of the Animas-La Plata Project (ALP).

Colorado and local water users have committed to the investment of over $60 million in cost share towards the resolution of the Ute Indian's water rights claims since 1976 when the United States first filed applications for reserved water rights in Colorado District Court for Water Division Number 7. The reserved water rights claims of the Southern Ute and Ute Mountain Ute Indian Tribes in Colorado pre-date Colorado statehood and affect 26 rivers and streams in Colorado and New Mexico.

It is now 20-years later and, after many costly delays, the construction of the ALP is scheduled to start in the 1996 Fiscal Year, upon completion of a Supplemental Environmental Impact Statement. Although a Final Environmental Impact Statement was prepared in 1980 that examined more than 100 water project alternatives, the Bureau of Reclamation decided to prepare a Supplemental Environmental Impact Statement prior to actually initiating construction of the Project.

The ALP is the keystone of the Colorado Ute Settlement Act which became law in 1988. This remarkable law, and the 1986 settlement agreement it codifies, were the product of much work and cooperation by the two Tribes, their non-Indian neighbors and the States of Colorado and New Mexico.

The key to making the settlement work is the timely construction of the Animas-La Plata Project, a federal reclamation project authorized in 1968 as a participating project under the Colorado River Storage Project Act. The Project will provide the water that the Southern Ute and Ute Mountain Ute Tribes accepted in exchange for their senior water right claims on these Southwestern Colorado streams. Pursuant to the Act and the settlement agreement, if the facilities needed to provide water for the Tribes are not completed on time, the Tribes will be forced to return to court to litigate their water rights.

The ALP has faced many hurdles since its authorization in 1968. The Project has undergone intense scrutiny for more than two decades, by virtue of federal environmental mandates, cost-sharing requirements, the settlement negotiations, local elections, the Endangered Species Act and continuing NEPA compliance. Throughout this period, the Project sponsors and beneficiaries have worked diligently and cooperatively with the federal government to overcome those hurdles.

In fact, the prompt construction of the ALP is the only commitment within the settlement agreement which has not been met.

The State of Colorado and the non-Indian participants in the settlement have all met their obligations under the cost-sharing agreement for the ALP. The state has already appropriated and escrowed $42.7 million and has expended more than $6.8 million to complete the Towaoc Pipeline that delivers municipal water to the Ute Mountain Ute Tribe from the Dolores Water Project. We have also contributed $5 million to the tribal economic development fund to benefit the Ute Tribes. The state, in conjunction with the Animas-La Plata Water Conservancy District, is also prepared to contribute $5.6 million towards the construction of the Ridges Basin Pumping Plant.

In additional to these financial commitments, the state has, through the Colorado water courts, appropriated numerous federal reserved water rights for the Tribes' agricultural and domestic needs.

In short, the state has done everything it was required to do to meet its obligations under the 1988 Settlement Agreement. It is now time for the federal government to follow through on its commitments under the 1988 Settlement Agreement.

You will hear testimony from others that Reclamation lacks valid repayment contracts for the ALP because the cost ceiling in those contracts has been exceeded. You need to know that several methods of repayment were analyzed and that this is not true in all cases. Whether or not the ceilings are exceeded is dependent on how the cost share is paid and we are working with Reclamation to assure that an appropriate repayment option is implemented that will not cause the contracts to need to be renegotiated.

In conclusion, when Governor Romer addressed the House Committee on Interior and Insular Affairs in support of the passage of the Colorado Ute Indian Water Rights Settlement Act in September, 1987, he said:

> the Anima-La Plata project...is the linchpin of the [Colorado Ute Indian Water Rights Settlement]...Without it, indeed, there is no settlement. It along with the Dolores Project, are the only means by which the tribes can receive substantial amounts of water without disrupting the established non-Indians in southwestern Colorado...In short, the essential ingredient of a workable settlement is a project that benefits Indians and non-Indians alike...

These words are as true today as they were nearly ten years ago.

We support the appropriation of $36.5 million that may be needed to begin construction of the ALP when the NEPA process has been successfully completed.

Approximately $27 million of the $36.5 million will be used to start construction on Phase A of the ALP, which includes the Ridges Basin Dam and Durango Pumping Plant. Another $9.5 million can be spent on recreation, wetlands and fish and wildlife purposes.

Of the $36.5 million needed to begin construction, about $20 million can be spent on Section 8 activities, endangered fish recovery, land acquisition and pipeline relocation as soon as approval to start construction is given. At least another $10 million may be needed to begin construction on the foundation of the dam and pumping plant.

Other Colorado Projects

In addition to ALP, there are a number of other federal projects in Colorado that are supported by the budgets for U.S. Department of Interior and the U.S. Army Corps of Engineers. Normally we have access to the President's budget to determine whether or not the funding levels are adequate. Absent this information, we can only state that so long as funding is provided that is comparable to that indicated for the out years in the President's detailed FY 1996 budget we believe that we will generally be satisfied. We want the committee to be aware that Colorado strongly supports adequate funding for the continued construction, operation and maintenance of all Interior and Corps projects located in Colorado. This includes funding for the Colorado River Basin Salinity Control Program and the Recovery Programs for Endangered Fish in the Upper Colorado River Basin and the San Juan River Basin.

Specifically, with respect to funding for the Colorado River Basin Salinity Control Program we would refer the committee to the 1995 Annual Report of the Colorado River Basin Salinity Control Advisory Council for the program funding needs.

With respect to the Recovery Program for Endangered Fish, we specifically ask that the Subcommittee appropriate $7.9 million so the Bureau of Reclamation can continue to participate in the recovery of four endangered fish species in the Colorado River Basin. We anticipate this amount will be included in the Administration's budget under an item labeled "Construction-Endangered Species Recovery Implementation Program-Upper Colorado River Region-various Studies."

The Upper Colorado Recovery Implementation Program is a mutually supported program involving the states of Colorado, Utah and Wyoming, environmental organizations, power and water development interests, the Bureau of Reclamation, the U.S. Fish and Wildlife Service and the Western Area Power Administration. The Recovery Program is in its eighth year of operation. The goal of the Program is to recover four endangered fish while allowing water development to proceed in compliance with the Endangered Species Act.

Beginning in 1994, the Recovery Program initiated specific studies and actions in preparation for the construction activities necessary to recover the endangered fishes. These activities included: restoration of fish passage to historical habitat; instream flow protection on the mainstem of the Colorado River, the Gunnison River and Yampa River; and changes in the operation of existing projects. Work also began on several fish habitat restoration projects, including the restoration of flooded bottom lands and wetlands in Utah and Colorado. The money requested for 1997 will allow these activities to continue.

In closing, once we have had the opportunity to review the President's budget, we will be happy to provide further comments and encourage the committee to provide an opportunity for such additional comment. We wish to thank the committee for this opportunity to testify and hope that you continue to support our requests.

Mr. McINNIS. Mr. Chairman, now the Chairman of the Southern Ute Tribe, Mr. Burch.

Mr. BURCH. Mr. Chairman, members of the committee, I am here again—once again, for the last time, as both of you gentlemen, in support of the Southern Ute Tribe's support of the Animas-La Plata project.

I have got today with me Mr. Marvin Cook, member of the Tribal Council, whom you have met; and I bring greetings to you that—from the Tribal Council and some of the Ute people that you have met when you were visiting my Reservation.

The Animas-La Plata Project for the past 20-some years now has been the goal of the tribe to have it built and deliver water and not only to the Ute tribes but our neighbors, the nonIndians that live with us and work with us, for the planning of this project for the past 50 years. So we are very grateful that this committee has given support over the years of the construction appropriation.

But, however, we have received a lot of delays. Not because of problems that we have developed but the opponents of the project, but we have overcome that by working together and sitting down and getting this worked out.

So again, I will not use all the time but I want to thank you for all the support that you have given the Southern Ute Tribe and we bid you Godspeed.

Mr. MYERS. Thank you.

[The statement of Mr. Burch follows:]

ADDITIONAL
STATEMENT
OF
LEONARD C. BURCH,

Chairman
Southern Ute Indian Tribe

before the
Subcommittee on Energy and Water Development
Committee on Appropriations
United States House of Representatives
in Response to the Anticipated Statement
of the Southern Ute Grass Roots Committee

March 6, 1996
Washington, D.C.

SUMMARY OF SPECIFIC ACTION REQUESTED

APPROPRIATION OF FUNDS FOR CONSTRUCTION OF THE ANIMAS-LA PLATA WATER RESOURCE DEVELOPMENT PROJECT IN THE STATES OF COLORADO AND NEW MEXICO

Mr. Chairman, members of the Committee:

I am Leonard C. Burch, Chairman of the Southern Ute Indian Tribe. I want to assure the Committee Chairman and Committee members that the official position of the Southern Ute Indian Tribe is one of strong support for the Animas-La Plata Project, firm commitment to the Colorado Ute Indian Final Water Rights Settlement Agreement and continuing dedication to ensuring that the United States government fulfills its promises to the Tribe contained in the 1988 Colorado Ute Indian Water Rights Settlement Act. Despite the extravagant claims made before this Committee last year, and perhaps to be repeated this year, by Council member Ray C. Frost, the Southern Ute Grass Roots Committee -- a committee which has never been sanctioned by the Southern Ute Indian Tribal Council in accordance with the Tribal Constitution -- speaks only for a small minority of Tribal members. Until the election of one member of the Grassroots Committee to the Tribal Council, the Southern Ute Indian Tribal Council has always unanimously supported the Project. More importantly, the Council unanimously signed the Colorado Ute Indian Water Rights Settlement Agreement in 1986.

The Southern Ute Grassroots Committee, in collaboration with environmental organizations, has failed to deflect the Southern Ute Indian Tribal Council from its overwhelming support for the Animas-La Plata Project as an historic benefit to the Tribe. The Grassroots Committee complains that Tribal membership has never voted on the Animas-La Plata Project. At no time in the past thirty years of Tribal support for the Project has anybody officially asked the Southern Ute Tribal Council for such a vote. Further, under the provisions of the Constitution of the Southern Ute Indian Tribe, "No referendum shall serve to abrogate, modify, or amend any properly approved contract or agreement to which the Tribal Council is a party." Therefore, the Southern Ute Constitution prohibits such an action by the Southern Ute Indian Tribe, as contrary to the Tribe's representative form of government.

The Grassroots Committee complains that the Southern Ute Indian Tribe will not receive its water until Phase 2 of the Project. This statement is untrue. The Southern Ute Indian Tribe will receive both its municipal, and industrial and irrigation water with the completion of Phase 1 of the Project, together with facilities to utilize the Tribe's water.

The Grassroots Committee complains that the Tribe will not be able to pay for the municipal water allocated to the Tribe under the Settlement Agreement and the Colorado Ute Indian Water Rights Settlement Act. The Grassroots Committee ignores the fact that the Southern Ute Indian Tribe, as a part of the Animas-La Plata Cost Sharing Agreement, wisely negotiated a provision allowing the Tribe to defer payment for the Tribe's Project M&I water until the Tribe determines, in the best interest of the Tribe, to put the water to beneficial use. There is no Tribal obligation to pay for M&I water until the water is beneficially used.

The Grassroots Committee complains that the Animas-La Plata Project is a poor deal for the Southern Ute Indian Tribe. Prior to the Tribe's 1991 execution of stipulations in state water court to resolve the Tribe's reserved water claims, however, the Tribe retained the services of a nationally recognized Indian law firm to evaluate the Settlement. The law firm advised the Tribe that the Settlement provided the Southern Ute Indian Tribe with more than it could ever have hoped to obtain by litigation over its reserved water rights claims.

Finally, the Grassroots Committee complains that the Tribe should accept money instead of water in settlement of those claims. This proposal harks back to the dealings between the United States government and Indian tribes in the last century. The Colorado Utes, who once owned over two-thirds of the western slope of the State of Colorado, now have only small reservations located in the southwestern corner of Colorado. The Tribes received a total of only $32 million for all the lands taken by the federal government in the late 1800's, lands now worth untold billions. As long as I am Chairman of the Southern Ute Indian Tribe, I will do my best to ensure that the Tribe does not repeat the mistakes of the past in dealing with the federal government.

We need the help of this Committee to provide the FY 1997 appropriations to allow the construction of the Animas-La Plata Project to move forward to Reclamation's full capability. The Project is the keystone of the Federal obligation to the Southern Ute Indian Tribe under the Settlement Agreement and the Settlement Act.

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Mr. McINNIS. From the Ute Mountain Ute Indian Tribe next we have Chairwoman Judy Knight-Frank.

Ms. KNIGHT-FRANK. Thank you once again for giving us this time to come before you. We appreciate all the support you have given us through the years.

With me, I do have two of the council members, Manuel Hart and Arthur Cuthair. They are just starting this process, and I hope that years from now they are not here trying to get this project complete as I have been coming back here for the last 15 years.

We support this project because as it has been stated it is part of the Ute water settlement, and all I would ask is that the United States Government, for once, honor an agreement that was made and let us move on with the other issues that are facing us and move on to the future with something that our people can use for the future. We do support the $36.5 million that is being requested and we want this project completed, and thank you for your support.

Mr. MYERS. Thank you.

[The statement of Ms. Knight-Frank follows:]

STATEMENT OF JUDY KNIGHT-FRANK, TRIBAL CHAIRMAN
UTE MOUNTAIN UTE INDIAN TRIBE

Tribal Office Complex
Towaoc, Colorado 81334
(970) 565-3751; Facsimile (970) 565-8549

before the
House Appropriations Subcommittee on Energy and Water Development

March 6, 1996

Mr. Chairman and Members of the Committee:

I am Chairman of the Ute Mountain Ute Indian Tribe ("Tribe") and during my 18 years on the Tribal Council, have worked tirelessly to first protect my Tribe's water rights and now to implement the Colorado Ute Indian Water Rights Settlement Act of 1988, P.L. 100-585 (the "Act"). The Act ratified the terms of Colorado Ute Indian Water Rights Final Settlement Agreement of 1986 ("Settlement Agreement").

I want to thank the Committee for inviting the Tribe to present oral testimony and submit this written statement before you on an extremely important issue to the Tribe: *Completion of the Animas-La Plata Project ("ALP" or "Project"), an integral part of the United State's obligations under the 1988 Act and 1986 Settlement Agreement.* ALP will provide water for both Indians and non-Indians in Southwest Colorado and Northwest New Mexico.

I. Funding Request:

It is our understanding the Bureau of Reclamation will request $10 million for ALP in FY 1997. Given this Tribe's deep understanding of the environmental, economic and political issues surrounding and underlying ALP, we strongly believe $10 million to be insufficient. Local Bureau of Reclamation engineers and construction staff estimate that $36.5 million could be obligated in FY 1997.

Both Colorado Ute Tribes have worked extensively with Reclamation, in Durango, Grand Junction, Salt Lake City and here in Washington, D.C. through P.L. 93-638 Self-Determination on environmental compliance required for ALP and related economic issues. We are supremely confident the ALP Final Environmental Statement will survive any federal court challenge and that construction could begin later this summer.

What we understand as the Administration's budget request for ALP of $10 million will simply not cover the costs of the following first-year construction and environmental related expenses:

A. Foundation work for Ridges Basin Dam.
B. Initial construction of the Durango Pumping Plant.

C. Relocation of the Northwest Gas pipeline out of Ridges Basin Reservoir area.
D. Purchase of Elk range habitat surrounding Ridges.
E. Purchase of addition lands surrounding Ridges Basin.

It is important for the Committee to understand that if accepted, full FY 1997 funding for ALP will support Tribal self-determination immensely. Through the same process the Tribe used to assist Reclamation with environmental compliance, we will again look to P.L. 93-638 Self-Determination contracts to complete construction. Please view tribal construction of ALP as I do; as an investment in my Tribe's future and in ensuring the United States lives up to its promises to Indian tribes. As we did last year, we are again requesting any assistance the Committee can provide during these times of fiscal constraint to increase the Administration's budget request for ALP. The Committee's unwavering support for this Project and the Settlement Agreement and Act is sincerely appreciated.

II. "Proceed Without Delay;" the 1995 Congressional Mandate:

A turning point in the long history of the Animas-La Plata Project occurred in October of 1995, when Congress and the President agreed to insert the following language into the 1996 Energy an Water Appropriations Bill:

> In order to insure the timely implementation of the Colorado Ute Indian Water Rights Settlement Act of 1988, the Secretary of the Interior is directed to proceed without delay with construction of those facilities in conformance with the final biological opinion for the Animas-La Plata Project in Colorado and New Mexico dated October 25, 1991.

With the much appreciated help of the Tribes, at the end of March, 1996, Reclamation will issue what can only be described as massive environmental documentation to comply with NEPA and the Clean Water Act. This documentation, which includes a comprehensive Final Supplement to the 1980 Environmental Statement and one of the most complete Section 404 (Clean Water Act) alternatives analysis, is the work product of an enormous number of people. Working together with Reclamation and the Tribes have been several other signatories to the Settlement Agreement including the United States Fish & Wildlife Service, the States of Colorado and New Mexico and many non-Indian water users in those states.

By increasing funding for ALP, the Committee sends a message to the Secretary that last year's Congressional directive must be complied with: Proceed without delay.

III. ALP Environmental Compliance and Applicable Law on Injunctions:

While Project opponents such as the Sierra Club continue to complain of ALP environmental problems, as noted above, we are confident that no material failure in environmental documentation or analysis exists. Moreover, to date no ALP opponent has identified any irreparable injury to important environmental resources caused by the Project such as those which existed in the context of the Two Forks Dam project vetoed by the EPA in 1990.

As a result, no Project opponent can obtain an injunction stopping the prompt construction of ALP after issuance of the Record of Decision by Reclamation and review by EPA this spring. In Amoco Production Co. v. Village of Gambell, 480 U.S. 541 (1987), the Supreme Court confirmed that an injunction will not lie even in the face of stipulated failures of environmental analysis or compliance.

To the contrary, an injunction will only lie if irreparable injury to important environmental resources is shown, specifically, injury which is permanent or at least of long duration. At the same time, an injunction will not lie if the public interest does not favor it. In the view of the Tribes, the commitment of Congress and the President of the United States in the 1996 Energy and Water Appropriations Act sets forth an unequivocal public interest to "proceed without delay" with construction of ALP.

Based on the extensive environmental documentation prepared by the 1986 Settlement Agreement signatories and the consideration of all "relevant factors," we see no basis for a federal court to find that Reclamation's anticipated Record of Decision to proceed with ALP would be arbitrary and capricious. Motor Vehicle Manufacturers Association v. State Farm Mutual Automobile Insurance Co. ,463 U.S. 29, 43-44 (1983).

IV. Conclusion:

The Ute Mountain Ute and Southern Ute Indian Tribes - and their non-Indian partners in the Settlement Agreement and Act - deserve congressional support to construct ALP. The Tribes have relinquished their water rights claims and have expended thousands of hours and similarly great sums of money to assure full environmental compliance. We look forward to Congress now stepping forward to fulfill the commitment of the United States.

The Tribe sends its best wishes to those on the Committee who are retiring from Congress after the current term. While we truly appreciate Chairman Myers and Congressman Bevill staunch support of our efforts for so many years, you will be sincerely missed in the years to come.

Thank you for your consideration.

Mr. McInnis. Mr. Chairman, Sherry Galloway is Chairwoman of the San Juan County Board of County Commissioners.

Ms. Galloway. Good afternoon and thank you again. I am the New Mexico component of this group, and I bring you greetings from your friend, Jim Dunlop, from rural water who has been before you many times.

I would like to let you know what this project means to New Mexico today. In our contract with the Bureau of Reclamation, we are able to use that water without construction, and we did get diversion rights from our State engineer, and today we have communities in New Mexico using Animas-LaPlata water to provide a legal and safe drinking water supply for their community members. So this project has meaning for us today, and of course we need that storage very badly also.

Where the snow pack is something like 90 percent below normal and we wish we had——

Mr. Myers. We would give you some off ours.

Ms. Galloway. We would take it, sir. We would certainly take it. And I was going to point out again the importance of having that storage.

Lastly, I would just like to say that we non-Indian partners in this Animas-LaPlata project want to have those Indian water rights settled, and there is the way to do it, and we also want to see economic development on and off reservation and this is the only way we are going to get it.

Thank you very much for your time.

Mr. Myers. Appreciate it.

Mr. McInnis. Mr. Chairman, finally we have Steve Harris, President of the Animas-LaPlata Water Board.

Mr. Harris. I have with me Pat Grier, who is also on the Board of Directors of the Animas-LaPlata conservancy district. Pat is one of the ranchers that will receive irrigation water from the project. He has been having to haul water from a spring near his house his whole life in order to have suitable drinking water, and this project would fix some of those problems.

I trust that a year or two from now you will have more time on your hands, so don't be a stranger out our way. Come out and have a good time.

Mr. Myers. We just may come out. I will have to hitchhike to Utah.

Mr. Bevill. We are looking for some fishing holes. Do you have some out there?

Mr. Harris. Several.

Mr. Bevill. John and I will get us a can of worms and a couple of canes and some fish hooks and we might come on out.

Mr. Harris. And we will clean them for you.

Mr. Bevill. Good.

Mr. Myers. That takes away the fun.

Mr. Harris. And help you eat them maybe, too.

We think 1997 is our big year. We have got all of it together. The Bureau of Reclamation has done a supplemental EIS, and from what we hear it is one of the best, most thorough ones done. We are not sure it is bulletproof but it is as close as it can be.

We think we have the Endangered Species Act taken care of, and we think 1997 is our year, and that is why we are asking for the full amount that the Bureau of Reclamation thinks they can handle, which is the $36.5 million. That is kind of why we are here today, and I will close it with that.

Thank you.

[The statement of Mr. Harris follows:]

STATEMENT OF
STEVE HARRIS
PRESIDENT, BOARD OF DIRECTORS
ANIMAS-LA PLATA WATER CONSERVANCY DISTRICT

and

PAT GREER
MEMBER, BOARD OF DIRECTORS
ANIMAS-LA PLATA WATER CONSERVANCY DISTRICT

before the
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT
COMMITTEE ON APPROPRIATIONS
UNITED STATES HOUSE OF REPRESENTATIVES

March 6, 1996
Washington, D.C.

SUMMARY OF SPECIFIC ACTION REQUESTED

APPROPRIATION OF FUNDS FOR
CONSTRUCTION OF
THE ANIMAS-LA PLATA WATER RESOURCE DEVELOPMENT PROJECT
IN THE STATES OF COLORADO AND NEW MEXICO

Mr. Chairman, members of the Committee:

I am Steve Harris, President of the Board of Directors of the Animas-La Plata Water Conservancy District. I am accompanied today by Pat Greer, one of our Board members.

Since the creation of the Animas-La Plata Water Conservancy District in 1981, our District has cooperated closely with the two Colorado Ute Indian Tribes, and the states of Colorado and New Mexico, to achieve construction of the Animas-La Plata Water Resource Development Project. During the 15 years of its existence, the District has successfully met challenges to its very existence in both state and federal courts. The District negotiated a repayment contract for the construction of the Animas-La Plata Project with the United States, through the Bureau of Reclamation, which was overwhelmingly approved at a 1987 District general election. The District participated in successful Project cost sharing negotiations as required by the Congress and was an active participant in the successful negotiation of the Colorado Ute Indian Water Rights Settlement Agreement with the State of Colorado and the two Colorado Ute Indian Tribes. In addition, the Animas-La Plata Water Conservancy District strongly supported the passage of the Colorado Ute Indian Water Rights Settlement Act (P.L. 100-585) by Congress in 1988.

Today, we again appear before this Committee requesting your support for appropriations to allow the construction of the Animas-La Plata Project to move forward. It is our understanding that the Administration may request as much as $10 million for construction of the Animas-La Plata Project during fiscal year 1997. While we are gratified by this request, which doubles the funding requested by the Administration for FY 1996, the Administration's request falls far short of the $36.5 million which the Bureau of Reclamation is capable of expending on construction of the Animas-La Plata Project for fiscal year 1997. Appropriation of all these funds is needed to enable the Bureau of Reclamation to move forward with the long-delayed "First Phase" of the Project, which provides water for irrigation and municipal and industrial uses, for both Indians and non-Indians, in Southwestern Colorado and Northwestern New Mexico. We urge your consideration and support for this full appropriation, which will ensure that the United States keeps its word not only to the Colorado Ute Indian Tribes, but also to the non-Indian water users in our state.

Opponents of the Animas-La Plata Project refuse to recognize that federal commitments were made to the Colorado Ute Indian Tribes and the water users in Northwestern New Mexico and Southwestern Colorado. Public Law 104-46, which was enacted on November 13, 1995, and signed by President Clinton, directs the Secretary of the Interior to proceed without delay with construction of Project Phase One facilities. The appropriation of funds to support Reclamation's full capability will enable the Secretary to comply with this Congressional mandate.

Despite the directives of the Congress and the Administration, opponents of the Animas-La Plata Project, realizing that the Project's lengthy and costly environmental compliance period is coming to a close, now seek to further delay Project construction by questioning the repayment capability of

Project beneficiaries based on non-decisional Reclamation documents. Contrary to the assertions of Project opponents, both the Animas-La Plata Water Conservancy District, and the San Juan Water Commission of New Mexico, have signed valid repayment contracts with the United States. The electors in both Southwestern Colorado and Northwestern New Mexico voted overwhelmingly in favor of those repayment contracts. In their efforts to cause additional delay, the opponents of the Project ignore the 1986 Cost Sharing Agreement with the United States government. We are aware of Reclamation's recent economic analysis, which unfortunately fails to take into consideration the vast economic benefits of the Colorado Ute Indian Water Rights Settlement Agreement and which allocates costs to the Animas-La Plata Project without any requirement to do so under any federal guidelines or law. Reclamation's failure to provide appropriate economic justification for the Animas-La Plata Project reflects the creation by Reclamation and its peer reviewers of new ways to impugn the integrity of the Project, rather than set forth the Project's true benefits.

Among the new and inventive costs now attributed to the Project are: salinity increases - 15% of the total; OM&R costs which assume "market value" for Project energy rather than Colorado River Storage Project Act ("CRSP") power costs to which the Project is entitled - 8.3% of the total; and costs attributable to the loss of downstream power generation - 15% of the total. These three items in Reclamation's 1995 Project cost allocation, not mandated by the principles and guidelines, alone increase Project costs approximately 41%.

Anticipating the results of such a Reclamation cost analysis, the Colorado Ute Indian Tribes and the Animas-La Plata Water Conservancy District retained Bookman-Edmonston Engineering, Inc., to provide a benefit-cost analysis of the Project that takes into account the benefits of the Colorado Ute Indian Water Rights Settlement Agreement, as well as indirect benefits, and a fair review of the agricultural benefits of the Project. Not surprisingly, the Bookman-Edmonston Benefit Cost Analysis shows a very favorable benefit-cost ratio for construction of the Animas-La Plata Project.

I would also like to briefly comment on the recent report commissioned by the opponents of the Animas-La Plata Project entitled "Alternatives to the Animas-La Plata Project." These proposed "alternatives" do not satisfy the purpose of the Project as authorized by the Congress and, more importantly, do not satisfy federal commitments in the Colorado Ute Indian Water Rights Final Settlement Agreement. The "alternatives" propose to satisfy Ute Mountain Ute reserved water rights from the rights of existing irrigators contrary to the major emphasis of the settlement negotiations for the Tribes' reserved water rights, a win-win situation for both Indians and non-Indians. In addition, the lands of the Southern Ute Indian Tribe to be served under the "alternatives" were removed from the Animas-La Plata Project in the 1970's because of high salinity. The Sierra Club's alternatives are not alternatives to the Project.

In effect, the opponents of the Project are saying that because they do not like the Agreement that was reached by the Congress, the two Colorado Ute Indian Tribes, the States of Colorado and New Mexico, and the water conservancy districts, these entities should negotiate a new agreement which the opponents believe would be better. The opponents of the Project had ample opportunity to participate with the Tribe's reserved water rights negotiation process from 1984 through 1988.

Subsequent to the enactment of the Colorado Ute Indian Water Rights Settlement Act, the Sierra Club and other environmental organizations were invited to participate in the development of a reasonable and prudent alternative for the Animas-La Plata Project under the Endangered Species Act. The environmental groups, however, have refused to participate in the recovery implementation program designed to both recover the endangered fish in the San Juan River and allow water resource development to continue. They believe that a successful recovery implementation program will allow construction of the Project as mandated by Congress.

In closing, let me say that while major public benefits are hard to come by these days, the Animas-La Plata Project is a major public benefit that deserves construction. Opponents urge the Congress to breach the promises made to the Indians and non-Indians in Southwestern Colorado and Northwestern New Mexico, arguing that the Animas-La Plata Project promises are too costly to be kept. Neither this Committee nor the Congress should accept such an argument. Project cost increases caused by delays resulting from the abuse of environmental laws do not justify the United States government breaking its promises to its citizens, both Indian and non-Indian alike. The Board of Directors of the Animas-La Plata Water Conservancy District has faith that Congress will fulfill its obligations by proceeding with construction of the Animas-La Plata Project, as long promised.

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Mr. McINNIS. That concludes our testimony, Mr. Chairman.

Mr. BEVILL. I just want to say—excuse me, Mr. Chairman. I saw Fred in here a while ago. His hair wasn't even gray when we started on this project, you know. As I understand, Mr. Chairman, we are at the point that we are ready to start moving dirt.

Mr. BURCH. Yes.

Mr. BEVILL. That is what we have been looking for. So looking back, maybe that is why the Chairman and I decided it is time to retire. We finished this project. We got it started.

Mr. MYERS. We thought that 10 years ago, too. I might add, of course, you know you have had two friends on this committee. Mr. Bevill and I have both been battling for it. But you are the people really that have kept it going, so we thank you for that, too. It has been a pleasure working with you.

Sorry you had to come back here so often, but it certainly hasn't been our making. Not yours either, but these things do happen. You have been persistent. It is a good program and we have been convinced of that fact, so we thank each of you. Gosh, the three of you have been back for a long time. And Ray Kogovsek. It has been a former Members day here.

Mr. BEVILL. Ray also had black hair when we started this.

Mr. MYERS. Yes. And all of you, we appreciate the help you have given this committee. So thank you very much for your testimony.

Mr. McINNIS. Thank you, Mr. Chairman, Mr. Bevill. Thank you, Ron.

WEDNESDAY, MARCH 6, 1996.

TENNESSEE PROJECTS

WITNESS

HON. BART GORDON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TENNESSEE

Mr. MYERS. Congressman Gordon from Tennessee. Your prepared statement will be placed in the record and you may proceed for 5 minutes as you like.

Mr. GORDON. Thank you, Mr. Chairman and Mr. Bevill. Like I am sure many folks have told you, today I regret that this will be the last time that I will have to be before you. But hopefully we will at least have time for fellowship for the rest of this year and hopefully we will have a chance to continue to——

Mr. MYERS. You have us around for another 10 months.

Mr. GORDON. Good. I do thank you for all your courtesies in the past. As you recommended, I will submit my full testimony to the committee and try to be very brief.

I am back once again on a project close to my heart and that is the black fox Oaklands and Murfree Springs wetlands area in my hometown of Murfreesboro, Tennessee.

Knowing this is a period where expanding requests for funds but shrinking resources for funds, I am here to just make a single request and that is for an appropriation to the Corps of Engineers in the amount of $435,000 in planning, engineering, and design funds for the black fox and Oakland and Murfree Springs wetlands preservation and education project.

These funds will preserve an area of natural wetlands in my home town of Murfreesboro and will plan and design an environmental educational center which will interpret the wetlands so that area students, residents, and visitors to middle Tennessee can learn about our natural ecosystem.

As I say, you have been very helpful in the past and because of your appropriations we have been able to have an environmental assessment, a master plan to study environmental resources. The whole works has been done here. In addition to that, the National Environmental Policy Act, Fish and Wildlife Coordination Act, and the National Historic Preservation Act have all been fulfilled.

As this gentleman said, it was his year. I understand more and more as I get into these things. There is the association of this or the council of that that you have to go through all the forms and I think we have done all those things. In addition, we have a lot of community support.

To just bring you up or remind you again quickly, my hometown of Murfreesboro is the geographic center of Tennessee. It is a very flat area. Mr. Evans dammed up the rivers that were back a little few years ago and now everything is just dry. But there is uniquely, in our hometown, a small wetland area. It is about 30 acres smack dab in the middle of town where the old water plant used to be.

So the city is leaving the old water plant. It will turn it over to an environmental group there so they can make an environmental center out of it. We have the State government that is going to purchase the land around it, and so it is really coming together, but what we need is those additional funds for the planning, only the planning part of how they can restore this building. That is what we are requesting and I certainly hope that within those scarce resources that you might find a place for that.

I will join Mr. Bevill on my way to vote and allow you to continue with this, but thank you again for your courtesies, and my prayers are with you in this tough time.

Mr. MYERS. Thank you. Thank you, Bart. We will do the best we can. I am going to leave at 3:30 to go up and see how she is getting along.

Mr. GORDON. You need to.

[The statement of Mr. Gordon follows:]

TESTIMONY OF REP. BART GORDON
ENERGY AND WATER APPROPRIATIONS SUBCOMMITTEE
MARCH 6, 1996

I want to thank the Chairman Myers and Ranking Member Bevill for this opportunity to testify before the Energy and Water Subcommittee on your Fiscal Year 1997 Appropriations Bill.

I am requesting one appropriation in the Corps of Engineers section of the Fiscal Year 1997 bill. My request is for $435,000 in planning, engineering and design funds for the Black Fox, Oaklands and Murfree Springs wetland preservation and educational project. These funds will preserve an area of natural wetlands in my hometown of Murfreesboro, Tennessee and will plan and design an environmental educational center which will interpret the wetlands so that area students, residents and visitors to middle Tennessee can learn about our natural ecosystem first hand.

I continue to actively work with the Corps of Engineers and the Transportation and Infrastructure Subcommittee on Water Resources and the Environment to authorize this project in the Water Resource Development Act of 1996. The project was included in the 1994 Chairman's mark for the Water Resource Development Act reauthorization bill and I am hopeful that it is included in this year's version of this legislation.

In fiscal years 1993 and 1994 the Subcommittee provided the Corps with $240,000 to conduct an environmental assessment, master plan and reconnaissance study which inventories existing environmental resources, proposes the best way to preserve and interpret the resources and coordinates local sponsors who will operate and maintain the project once it's up and running. I have provided the subcommittee with a copy of the reconnaissance study and environmental assessment and the master plan. The requirements of the National Environmental Policy Act (NEPA), Fish and Wildlife Coordination Act and the National Historic Preservation Act have been fulfilled.

Last year, the Committee included $200,000 in the Corps of Engineers General Investigations account for further planning of the Black Fox, Oakland and Murfree Springs wetlands preservation project. This year's $435,000 request will complete those planning projects.

As I've stated on previous occasions, Murfreesboro is in Rutherford county which is one of the 50 fastest growing counties in the country. I am excited about the continued economic development of my hometown, but I fear some of the area's finest environmental resources will be forever lost to development if immediate action is not taken.

The community's support for this project and its commitment to preserving the wetlands remains strong. The Black Fox, Murfree and Oakland Springs wetlands provide critical flood control and water quality enhancement in addition to being the natural habitat for several plants which are on the State's endangered species list. The wetlands store stormwater runoff and provide a natural underground drainage system. The Corps has estimated that without this natural underground drainage system flood depths on Lytle Creek, which runs through the middle of Murfreesboro, would be four feet higher than they are presently.

The purpose of this preservation project and the interpretative environmental education center is to:

1) Preserve the wetlands and maintain the flood control role they play.

2) Preserve the wetland ecosystems which support wildlife and several endangered species of plant life which are indigenous to the area.

3) Provide for an environmental education center which will:

   a) educate elementary, secondary and post-secondary students and the general public about wetland environments;
   b) provide a facility from which research can be conducted by the Middle Tennessee State University faculty and students;
   c) allow local school districts to develop an environmental related curriculum and instruct teachers how best to teach the hands on courses at the environmental center.

4) Interpret the natural benefits and components of the wetlands including flood control, water quality improvement, wildlife and aquatic life habitats.

5) Teach students, residents and visitors to the area what the Army Corps of Engineers and other governmental agencies are doing to protect wetlands and how each citizen can help preserve wetland environments.

As I mentioned earlier, I am working with Chairman Boehlert and ranking Democrat Robert Borski of the Water Resources and the Environment subcommittee to authorize this project in this year's Water Resources Development Act reauthorization. As you know, normal procedure to authorize and appropriate Corps of Engineers projects is four step process: (1) reconnaissance study, (2) feasibility study, (3) Planning, Engineering and Design stage, and (4) construction. After lengthy consultation with the Nashville Corps and considerable review of the purpose and intent of each step, in an attempt to save time and money we decided to fold the feasibility study into the master plan and reconnaissance study.

The reasoning for this consolidation is three-fold. First, the four step process is designed for large, complicated Corps projects like locks, dams, and flood dikes which cost hundreds of millions of dollars to construct and take many years to complete. The project for which I am seeking funding is not to this scale. Second, the reconnaissance study and the master plan together provide enough information to accurately estimate costs and prepare project plans and specifications. Third, the feasibility study will be duplicative and add cost to the overall project's bottom line and extend the life of the project.

I would greatly appreciate your support for this request during markup. As always, I stand ready to help this Subcommittee with any information that it might find useful.

WEDNESDAY, MARCH 6, 1996.

FLOOD CONTROL PROJECTS

WITNESS

IRIS Z. BLETSCH, CHAIRMAN, BOARD OF DIRECTORS, CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICT

Mr. MYERS. Next we have Chairman of the Board of Directors for the Clark County Regional Flood Control District.

As usual, your prepared statement will be placed in the record and for the next 5 minutes you may proceed as you like.

Ms. BLETSCH. Mr. Chairman and members of the committee, I am Iris Bletsch, Chairman of the Clark County Flood Control District, and with me today is Gale Fraser, the General Manager and Chief Engineer of the Flood Control District.

I would like to thank you for allowing us the opportunity to appear before you today. I am here to present testimony in support of the appropriations necessary for the United States Army Corps of Engineers to continue the construction of the Tropicana/Flamingo Washes Flood Control Project. This project is located in the rapidly growing Las Vegas Valley in southern Nevada.

The Las Vegas Valley has experienced unprecedented growth over the past 25 years, and all signs indicate that this growth will continue well into the future. Clark County's population has boomed from 608,000 to well over 1 million in the past decade. The latest statistics show that nearly 19,500 homes are built annually. Once all these factors are combined, the result is that the Las Vegas Valley is one of the fastest growing areas in our Nation.

Since 1960, the area has also experienced at least seven million-dollar floods, floods which caused in excess of $1 million in damages to public and private properties. In the same time frame at least 23 people have lost their lives in nine separate flash flood events. In 1990, three people died in separate flooding incidents; two drownings occurred in 1992, and in 1995 there was still another death by drowning.

Much of this devastation and loss of life has occurred along the Flamingo Wash. In all likelihood, the levels of damages and deaths would have been severely diminished or may have been nonexistent had the projects proposed by the Army Corps of Engineers been in place.

The plan identified in the Corps' engineering feasibility study for the Tropicana and Flamingo Washes project includes features that consist of four debris basins, four detention basins, 28 miles of primary channels, and a network of lateral collector channels.

In September of 1995, construction of the first feature of the project, the red rock detention basin, began. Construction is well under way with completion projected for this May. Although this will be the first feature constructed, the immediate benefits will be the removal of approximately 5 square miles of alluvial fan flood zones.

Details of the administration's fiscal year 1997 civil works budget request will not be made available until after the appropriations hearing. Therefore, testimony regarding this budget request is based upon the project cooperation agreement and accompanying financial plan of the Corps of Engineers in February of 1995. The approved financial plan for fiscal year 1997 identifies required Federal appropriations of $23,178,000. This funding will allow for the continued design and construction of this desperately needed flood control project.

Mr. Chairman, this is an important public safety project designed to provide flood protection for one of the fastest growing urban areas in our Nation. We ask that you provide the Secretary of the Army with the $23,178,000 as stated in the approved financial plan for this project in order to allow the United States Army Corps of Engineers to continue the design and construction of additional phases of this project. And also, Mr. Chairman, we respectfully request the opportunity to offer additional comments after the detailed administration's fiscal year 1997 civil works budget request is released.

And, finally, Mr. Chairman and members of the committee, I am sure you are aware that proactive flood control is the investment required to prevent loss of life and property damage. Flood control is a wise investment that will, in the long run, pay for itself by preserving life and property and reducing the probability of repeatedly asking the Federal Government for disaster assistance. Therefore, when balancing the Federal budget, a thorough analysis should prove that there will be a substantial future Federal savings in disaster assistance that will warrant the continued level of funding through the civil works budget appropriations.

Thank you for your time. Mr. Fraser and I will be happy to answer any questions you might have, and I would like to add one personal thing. I, too, will miss you, Chairman. It has been a pleasure to work with you, and I am sorry I missed the opportunity to tell the same to Mr. Bevill.

Mr. MYERS. We will pass it on to Mr. Bevill. Thank you very much for your very fine testimony once again.

[The statement of Ms. Bletsch follows:]

TESTIMONY PREPARED IN SUPPORT OF

CONSTRUCTION APPROPRIATION OF $23,178,000 FOR THE USACOE FLOOD CONTROL PROJECT ON THE TROPICANA AND FLAMINGO WASHES
LAS VEGAS, NEVADA

Prepared for the Congress of the United States
House of Representatives
Committee on Appropriations

presented by
Iris Z. Bletsch
Chairman, Board of Directors
Clark County Regional Flood Control District
March 6, 1996

Mr. Chairman, members of the Committee, I'm Iris Bletsch, the Chairman of the Clark County Regional Flood Control District Board of Directors. With me today is Gale Fraser, the General Manager and Chief Engineer of the Flood Control District. I would like to start by thanking you for allowing us the opportunity to appear before you today. I am here to present testimony in support of the appropriations necessary for the US Army Corps of Engineers to continue construction of the Tropicana/Flamingo Washes flood control project. This project is located in the rapidly growing Las Vegas Valley in Southern Nevada.

The Las Vegas Valley has experienced unprecedented growth over the past twenty-five years and all signs indicate that this growth will continue for several more years. People have moved into the area from all parts of the nation to seek employment, provide necessary services, and become part of this dynamic community. Clark County's population has boomed from 608,000 to slightly more than 1 million during the past decade. After taking into account the number of people leaving the area, it is still estimated that 3,200 people relocate to the Las Vegas Valley every month of the year. The latest statistics show that nearly 19,500 homes are built annually. Once all these factors are combined, the result is that the Las Vegas Valley is one of the fastest growing areas in the nation.

Since 1960, the area has also experienced at least seven "million dollar floods" -- floods which caused in excess of $1,000,000 in damages to public and private properties. In that same time frame at least 23 people have lost their lives in nine separate flash flood events. In 1990, three people died in separate flooding incidents, two drownings occurred in 1992, and in 1995 there was still another death by drowning.

Much of this devastation and loss of life has occurred along the Flamingo Wash. In all likelihood, the level of damages and deaths would have been severely diminished or would have been non-existent had the projects proposed by the Corps of Engineers been in place.

These facilities are designed to collect the flood flows from a 160 square mile contributing drainage area, funnel them into detention basins, and then release these flows through the urbanized area of the Las Vegas Valley at non-damaging rates. Because flow over the alluvial fans which ring the Valley is so unpredictable in terms of the direction it will take during any given flood, all of the components of the Corps' plan are critical.

The plan identified in the Corps' Feasibility Study for the Tropicana and Flamingo Washes Project includes four debris basins, four detention basins, 28 miles of primary channels, and a network of lateral collector channels. The debris basins are designed to collect flood flows from undeveloped areas at the headwaters of the alluvial fans and trap large bedload debris before it enters the channels and causes erosion damage. The detention basins will function to greatly reduce the magnitude of the flood flows so that the flows can be safely released through the developed urbanized area at non-damaging rates. The outflow from the debris basins and the reduced flows from the detention basins will be contained in the primary channel system which will also serve as outfalls for the lateral collector channels. While this latter element is considered to be a non-Federal element of the entire plan, it is a necessary element for the plan to function properly.

The Feasibility Report for this project was completed in October 1991, and Congressional authorization was obtained in the Water Resources Development Act (WRDA) of 1992. The first federal appropriations to initiate construction of the project became available through the Energy and Water Resources Development Appropriations Bill signed into law by the President in October 1993. Subsequent appropriations have allowed for the continued implementation of the project. Appropriations to date have totalled $17,685,000. The total cost of the project is $217,500,000. It is anticipated that the entire project will be completed by the year 2002.

Certain elements of the Corps' plan have already been constructed by the local community but require modifications in order to fit into the Corps' plan and fulfill the need for a "total fan approach" to the flooding problems of the Las Vegas Valley.

The Red Rock Detention Basin was constructed by Clark County in 1985. In order to increase the level of downstream protection provided by this feature, the releases from the basin will be reduced and its capacity to hold flood waters will be enhanced by a combination of increasing the height of the embankment, and excavating additional material from the impoundment area. Construction began in September 1995 and is well underway. It is expected that this feature of the overall project will be completed in May 1996. Although this will be the first feature constructed, the immediate benefits will be the removal of approximately five square miles of alluvial fan flood zones.

Clark County also constructed the Upper Flamingo Detention Basin. This facility was completed in February 1992 and is one of the main components of the entire program. Under the Corps's plan, the releases from this feature will also be reduced and its storage capacity increased. The Flood Control District and Clark County have been working with the local development community in an effort to have them remove the excess sand and gravel from the impoundment area of this facility. Our goal is to have the construction contractor for the project remove this surplus material for their own use at no cost either to the Federal or local governments, thus providing a significant savings to total project costs as well as to the construction schedule.

As local sponsors for this important flood control project, both the Clark County Regional Flood Control District and the Clark County Public Works Department anxiously anticipate the construction start of each feature of this project. The Project Cooperation Agreement was fully executed in February 1995 and construction of the different features is expected to continue over the next seven years. The District has completed a right-of-way acquisition plan which identifies the land ownership of all of the parcels in the area of the Corps'

project. As soon as the Corps establishes the alignment for each individual feature of the project we are in a position that will allow us to acquire the necessary parcels the most expeditious manner possible. The District has also been setting aside over $600,000 each month in order to accrue sufficient funds to meet our share of the total project costs. I realize that this may not sound like a significant amount in terms of the Federal budget; however, it is important to realize that $600,000 is roughly 25 percent of the District's total monthly revenues. Obviously, this is a very important public works project to this thriving community.

Details of the Administration's Fiscal Year 1997 Civil Works Budget Request will not be made available until after the appropriation hearings. Therefore, testimony regarding the budget request is based on the Project Cooperation Agreement and accompanying financial plan approved by the Corps of Engineers in February 1995. The approved financial plan for fiscal year 1997 identifies required federal appropriations of $23,178,000. This funding will allow for the continued design and construction of this desperately needed flood control project.

Mr. Chairman, this is an important public safety project designed to provide flood protection for one of the fastest growing urban areas in the nation. We ask that you provide the Secretary of the Army with the $23,178,000 as stated in the approved financial plan for this project in order to allow the U.S. Army Corps of Engineers to continue the design and construction of additional phases of this project. Mr. Chairman, we also respectfully request the opportunity to offer additional comments after the detailed Administration's Fiscal Year 1997 Civil Works Budget Request is released.

Finally, Mr. Chairman and members of the committee, I'm sure you are aware that proactive flood control is the investment required to prevent loss of life and damages. Flood control is a wise investment that will, in the long run, pay for itself by preserving life and property and reducing the probability of repeatedly asking the federal government for

disaster assistance. Therefore, when balancing the federal budget, a thorough analysis should prove that there will be substantial future federal savings in disaster assistance that will warrant the continued level of funding through the civil works budget appropriations.

Thank you for your time. Mr. Fraser and I will be happy to answer any questions you may have.

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WEDNESDAY, MARCH 6, 1996.

MILL CREEK FLOOD CONTROL PROJECT

WEST JORDAN WATER REUSE PROJECT

UPPER JORDAN RIVER CHANNEL RESTORATION PROGRAM

WITNESS

HON. ENID GREENE WALDHOLTZ, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF UTAH

Mr. MYERS. Our colleague from Utah, we have the second bell, so, Enid, we will be pleased to hear from you. Your prepared statement will be placed in the record, if you would like to summarize and proceed in the next 5 minutes as you like.

Mrs. WALDHOLTZ. Thank you.

Mr. MYERS. How is the baby?

Mrs. WALDHOLTZ. I know I promised you a year ago I would bring her to this hearing, but it is raining so I left her at home.

Mr. MYERS. She cannot swim yet.

Mrs. WALDHOLTZ. Not quite yet. So I left her at home, and I will be happy to bring her by your office some sunny day. I appreciate that, Mr. Chairman.

I am pleased to have with me today Mr. Randy Horiuchi, a member of the Salt Lake County Commissioners, who will testify with me concerning two of the three projects we are bringing before you today, the Mill Creek project and the Upper Jordan River program. I will wait for Mr. Horiuchi to talk about the Mill Creek Flood Control Project, but I wanted to touch briefly on the West Jordan Water Reuse Project.

Mr. Chairman, you have been a wonderful friend to the people of Utah. We appreciate what you have done. We are trying to learn how to manage our water resources a little more effectively, and these are much smaller projects than the projects that you are used to us coming before you on, such as the CUP, which we will talk about a little later today.

But I am requesting $1.56 million for the West Jordan Water Reuse Project. It has already been included in the Reclamation Water Conservation Act currently awaiting consideration by the full House. The city of West Jordan is trying to reuse some of their water to make more water available for culinary purposes, and it is a project we think shows great promise in how we can better use the water resources in Salt Lake City.

With that, I will defer to Commissioner Horiuchi on the other two projects.

[The statement of Mrs. Waldholtz follows:]

ENID G. WALDHOLTZ
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Statement of the Honorable Enid Greene Waldholtz before the Subcommittee on Energy and Water Development Appropriations

March 6, 1996

Mr. Chairman, and members of the subcommittee, thank you for the opportunity to testify before the subcommittee this afternoon regarding three projects that are critical to my district -- the West Jordan Water Reuse Project, the Mill Creek Flood Control Project, and the Upper Jordan River Channel Restoration Program. I appreciate your leadership and diligent work on the crucial water infrastructure issues facing my state and our nation. I am pleased that Mr. Randy Horiuchi, a member of the Salt Lake County Commission, is here to testify with me on the Mill Creek project and the Upper Jordan River project.

West Jordan Water Reuse Project - $1.56 million

I am requesting $1.56 million for the West Jordan Water Reuse Project. The project has already been included in the Title II of the Reclamation and Water Conservation Act of 1995, H.R. 2738, which was favorably reported out of the House Resources Committee last December, and is currently awaiting consideration by the full House.

The project would be located in West Jordan, Utah, which has a current population of 55,000. Like many communities in the Salt Lake Valley, West Jordan is experiencing rapid growth. Since 1986, water use in the City has increased over 100 percent to 13,000 acre-feet per year. During the summer months, water use increases primarily as a result of outdoor irrigation activities.

Based on a recent feasibility study conducted by outside consultants, the West Jordan Water Reuse Project would greatly reduce the use of potable water for irrigation purposes, thereby making more water available for culinary purposes. The total cost of the project is $6.24 million, with a requested federal share of 25 percent.

Funding would provide for construction of the facilities to treat and distribute reclaimed water for the irrigation of public, and possibly private, properties. Reclaimed water would be obtained from the effluent of the South Valley Water Reclamation Facility, which is the regional wastewater treatment plant located in West Jordan. Up to 7,000 acre-feet of water per year would be made available to reduce the peak loading of the culinary water delivery system, thereby making this water available to help meet the increased demands caused by growth. The water would receive tertiary treatment and disinfection prior to distribution.

Due to the rapid growth of both West Jordan and the entire Salt Lake Valley, water resources are being taxed to their limits. The Salt Lake County Water Conservancy District, which wholesales water to over twenty different entities in the Valley, is projecting that they will reach their current peak flow capacity in three years or less. West Jordan currently purchases fifty percent of their water supplies from the Water Conservancy District, most of which comes during the peak demands of summer. Reducing the peak loading of West Jordan would not only benefit the residents of the City, but also all of the customers of the Water Conservancy District by delaying or reducing the costly upgrades needed for the wholesale delivery system.

Although such water reuse is already being accomplished in other areas of the country, it is still a relatively new approach to water conservation in Utah. The State of Utah has recently passed regulations on the use of effluent from treatment facilities. All current discharge parameters of the Salt Lake Valley Water Reclamation Facility meet the State regulations for Type I uses -- that where human exposure is likely. Additionally, the State Division of Water Rights has recently issued their opinion on how the rights to the effluent would be distributed. Although there is not yet an official ruling, the City has been assured by the State Engineer that the City has a right to reuse that quantity of water for which the City contributes to the treatment plan and has the original water rights.

With the continued high level of growth that is projected for the Salt Lake Valley, and particularly for the City of West Jordan, new sources of water supplies are being exhausted. Over one-third of all water consumed is for irrigation of developed landscapes. This project would put to beneficial use water that is now simply being discharged into the Great Salt Lake. Additionally, the project would reduce the use of potable water for irrigation purposes and, instead, make this water available for more critical uses.

The project would be constructed primarily on City property or rights of way. Initially, it is estimated that the project would be delivering up to 1,000 acre-feet of water to over 300 acres of City parks, cemeteries, and athletic complexes. As the system is expanded it could serve a number of commercial landscapes and eventually private properties. The system is being designed with the vision that ultimately the southwest quadrant of Salt Lake Valley, with a population of more than 200,000, would be served with recycled water for much of its irrigation requirements.

I hope the Subcommittee will be able to support my request of $1.56 million for the Jordan River Water Reuse Project.

Mill Creek Flood Control Project - $1.1 million

In addition, I am requesting $1.1 million for the Mill Creek Flood Control Project located in my district. Funding will provide $375,000 for preparation of plans and specifications, and $725,000 for a riparian mitigation construction contract.

Since Fiscal Year 1977, Salt Lake County has worked with the Corp of Engineers on proposals to mitigate flooding, including development of the Mill Creek Flood Control Project. Without the Mill Creek Project, many residents of the Salt Lake Valley will not be protected from a 100-year flooding event.

As the main artery of water flowing through the Salt Lake Valley, the Jordan River has repeatedly caused flooding in the Upper Jordan River basin. The Jordan River intercepts several major tributaries in the Salt Lake Valley including, Cottonwood Creek, Big Cottonwood Creek, and Mill Creek, all of which originate in the Wasatch Mountains to the east and southeast of Salt Lake City. Water flowing out of the mountains through deep, narrow canyons before flowing into the Jordan River has contributed to a history of flooding in the basin.

Significant local dollars have been invested to improve flood control in the Upper Jordan River Basin. Following severe flooding in 1982, 1983, and 1984, Salt Lake County voters approved a $33.5 million bond to pay for major flood control improvements in the area, in addition to normal flood control funding. A major element of those improvements is the Mill Creek Project, which will divert overflow from Mill Creek to a Hillview Detention Basin. At the request of Salt Lake County, the Corps of Engineers took the lead on the Mill Creek project, which meets the Corps' requirements.

I am currently working with the House Committee on Transportation and Infrastructure to obtain a reauthorization of the Mill Creek project as part of the 1996 Water Resources Development Act (WRDA). In the 1990 WRDA, Congress authorized $7.9 million for the Mill Creek Flood Control Project as part of our effort to protect the more than 10,000 people living along Mill Creek in central Salt Lake County from major flooding. However, a reauthorization of the project is now needed, since the costs have exceeded 20 percent of the current authorization due to increased real estate costs, reevaluation of the design, and reassessment of engineering and design. The total project cost estimate is now $12.87 million.

Mr. Chairman, I hope the Subcommittee will be able to support my request for $1.1 million for the Mill Creek project.

Upper Jordan River Channel Restoration Program

I am also requesting funding for the Upper Jordan River Channel Restoration Program, which would help restore the Salt Lake Valley watershed through channel restoration.

In addition to traditional flood control efforts, Salt Lake County is developing and implementing more environmentally sensitive measures to control flooding, excessive erosion, and sedimentation. The severe floods that the Salt Lake Valley experienced in 1982, 1983 and 1984, have significantly eroded both the river bed and the river banks of the Jordan River. Extensive studies of the Jordan River have shown that flooding could be better controlled through natural means such as revegetation and stream stabilization, which includes regrading the river to achieve a more natural meandering flow. In addition to increased flood control protection, the project would improve water quality, control of toxic sediments, and improve fish and wildlife habitat. The total cost of the project is $5.5 million, of which I am requesting an appropriate federal share.

I believe the Jordan River project would be an excellent project for the Corps of Engineers to undertake, particularly in light of the increased emphasis given the Corps on environmental projects. Because Salt Lake County has already done extensive planning of environmental protection and restoration of the Jordan River over the last ten years, the Corps would be able to quickly complete this project.

The project is widely supported by all the municipalities in Salt Lake County, as well as the State Department of Environmental Quality.

Mr. Chairman, I appreciate the opportunity to testify before the Subcommittee this afternoon and I hope the Subcommittee will be able to look favorably on my requests.

WEDNESDAY, MARCH 6, 1996.

MILL CREEK FLOOD CONTROL PROJECT

JORDAN RIVER RESTORATION PROJECT

WITNESS

RANDY HORIUCHI, COMMISSIONER, SALT LAKE COUNTY COMMISSION

Mr. HORIUCHI. My name is Randy Horiuchi, and I am a member of the Salt Lake County Commission, and I wish to extend greetings from the home of the 2002 Winter Olympics.

The Mill Creek Flood Control Project is crucial to us, and we have been working with the Army Corps of Engineers for over 15 years on the project. It will provide flood control protection for 10,000 people along the Mill Creek, which is located in our county.

We experienced unbelievable cloud bursts in September 1982, 1983, and 1984. If you recall, we had rivers going through our streets and the President declared us an emergency area. After that episode, we passed a bond of roughly $33.5 million of local dollars to be put into flood control.

Since that time, we have combined those funds with some FEMA funds, and we have spent up to this point $70 million to improve our flood control. The most important element, however, that was not done was our Mill Creek Diversion Project, which we have been working with the Corps on. Since the project met the Corps' requirements, we really need to have them take and handle their part.

The flood control project has three major features; there is a diversion structure, there is a diversion conduit, and the detention basin, of which we have purchased. We have built and designed our entire flood control channel capacity downstream based on this diversion we would like to have the Corps do, and residents of Salt Lake County will not have full protection from a 100-year flood unless we do it.

In the latest design memorandum for the project, we have, including this funding in 1997, the Energy and Water appropriation will provide $375,000 for preparation of plans and specs, and $725,000 for riparian mitigation construction contracts.

We are working, concurrently working with the House Transportation and Infrastructure Committee to obtain a reauthorization for this project in the 1996 Water Resource Development Act under section 902, which is the Project Cost Increased Limitations. A request is being made since preconstruction engineering and design for the project will be completed sometime in fiscal year 1996, and the project will be ready to proceed in fiscal year 1997.

Last week I testified before the House Subcommittee on Water Resources and Environment requesting that such reauthorization be included in the 1996 Water Resources Development Act. I hope your committee will ensure that the Corps has sufficient funds to proceed with this project and ensure that the many millions of dollars we have spent of local money don't go to waste and down the drain.

Also, I want to take a moment to talk about the Upper Jordan River channel restoration program we are doing. There is increased concern at both the State and local level regarding floodplain problems and wetland deterioration along the Jordan River. Restoring the watershed is really the next crucial step toward flood control protection. And what we are asking to do is to put about $5.5 million into helping us do some flood control structures along the Jordan River and do some riparian mitigation. So it is really crucial. Literally thousands of residents depend on it.

Mr. MYERS. Well, thank you. I hope we can help. As you know, we have a very tight fiscal budget.

[The statement of Mr. Horiuchi follows:]

SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT, HOUSE COMMITTEE ON APPROPRIATIONS

TESTIMONY OF RANDY HORIUCHI, COMMISSIONER, SALT LAKE COUNTY, UTAH, REGARDING MILL CREEK FLOOD CONTROL PROJECT AND UPPER JORDAN RIVER CHANNEL RESTORATION PROJECT, MARCH 6, 1996

Good afternoon Mr. Chairman, and members of the Subcommittee. My name is Randy Horiuchi, and I am a member of the Salt Lake County Commission. Greetings from 2002. I appreciate the opportunity to testify before you today regarding the Mill Creek Flood Control Project, and the Upper Jordan River Channel Restoration Project.

Mill Creek Flood Control Project

First, I would like to discuss the Mill Creek Flood Control Project, which is located in Salt Lake County, Utah. Salt Lake County has been working with the Army Corps of Engineers on the project for over fifteen years. This project will provide flood protection for over 10,000 people along Mill Creek in central Salt Lake County.

Salt Lake County experienced severe cloudburst flooding in September 1982 and snowmelt flooding in 1983 and 1984. All three events were at or near 100-year flood events. In 1983 and 1984, Salt Lake County was included in the President's emergency disaster declaration area. Following this flooding, Salt Lake County received voter approval for a $33.5 million Bond Issue to pay for major flood control improvements in the area. This coupled with FEMA emergency funds and our regular Flood control mill levy provided over $70 million to restore and improve flood control facilities. One of the major elements of the flood control system not completed by Salt Lake County was the overflow diversion from Mill Creek to the Hillview Detention Basin. Since this project met the Corps' requirements, we requested that they take the lead on this project and we have proceeded to this point.

The Mill Creek flood control project has three major features: the diversion structure located just above Highland Drive on Mill Creek, the diversion conduit, and the Hillview Detention Basin located on mostly County owned property. The Mill Creek Flood Control Project is a critical element to the overall flood control system for Mill Creek. We have designed and built our channel capacity downstream of the diversion, based on the Federal Diversion project being in place. Residents of Salt Lake County will not have full protection from a 100-year flooding event without completion of the Mill Creek Project.

Based on the latest Design Memorandum for the project, Corps funding for FY 1997 should include at least $1.1 million. Including this funding in the FY 1997 Energy and Water Appropriation will provide $375,000 for preparation of plans and specifications, and $725,000 for riparian mitigation construction contract.

We are working concurrently with the House Transportation and Infrastructure Committee to obtain a reauthorization for the Mill Creek Flood Control Project in the 1996 Water Resources Development Act, under Section 902, Project Cost Increase Limitations. This request is being made since preconstruction engineering and design studies (PED) for the Mill Creek Flood Control Project will be completed sometime in Fiscal 1996, and the project will be ready to proceed to construction in Fiscal 1997. Last week I testified before the House Subcommittee on Water Resources and the Environment requesting that such reauthorization be included in the 1996 Water Resources Development Act for the Mill Creek Flood Control Project.

Mr. Chairman, I am hopeful that your Subcommittee will ensure that the Corps has sufficient funds to proceed with this project and insure that the many millions of dollars that Salt Lake County has already invested in the flood system are not washed away if the federal portion of the system is not built.

Upper Jordan River Channel Restoration Program

Next, Mr. Chairman, I would like to discuss the Upper Jordan River Channel Restoration Program, which is also located in Salt Lake County.

There is increasing concern at both the State and local level regarding floodplain problems and wetlands deterioration along the Jordan River, as well as stormwater and nonpoint source pollution along the river. Effective watershed management can help alleviate all of these problems.

Restoring the watershed through channel restoration is the next crucial step in flood control protection. To accomplish this next step, Salt Lake County is requesting authorization from the Transportation and Infrastructure Committee in the 1996 Water Resources Development Act for the Corps to carry out a channel protection and restoration project along the Jordan River. Given the continued and increasing involvement of the Corps in environmental projects, restoration and protection of the Jordan River would be an excellent project for the Corps to undertake.

Stabilizing the river beds would involve vegetative controls, as well as some structural components that will help regrade the river to achieve a more natural meandering flow. Extensive planning of environmental protection and restoration of the Jordan River over the last ten years would allow the Corps to quickly complete this project.

It has been estimated that the costs for restoring and protecting river channels along the Upper Jordan would be $5.5 million, which would include revegetation, structural components, and grade controls.

Environmental restoration and protection of the Jordan River in the Salt Lake Valley will provide numerous benefits to the Federal government as well as Salt Lake County residents. Besides providing flood control protection by returning the river to a more natural meandering corridor, it will improve water quality, control of toxic sediments, and improve fish and wildlife habitat.

Environmental protection and restoration of the Jordan River has wide support for all of the municipalities in Salt Lake County, as well as the State Department of Environmental Quality. I am hopeful that your Subcommittee, Mr. Chairman, will see fit to provide authority for the Corps to carry out this project.

Again, thank you for the opportunity to testify before your Subcommittee.

Mr. MYERS. Enid, I see you are joining a very illustrious group here. You are going to join some of us towards our retirement. Sorry to see that, but we wish you well.

Mrs. WALDHOLTZ. Thank you, Mr. Chairman. I appreciate it.

Mr. MYERS. There is a life after Congress, I am told. Tom and I are going to find out.

Mrs. WALDHOLTZ. We will find out together.

Mr. MYERS. Bring that little girl by.

Mrs. WALDHOLTZ. I will bring her by when we get a nice sunny day.

WEDNESDAY, MARCH 6, 1996.

INDIANA PORTS

WITNESS

FRANK C. MARTIN, EXECUTIVE DIRECTOR, INDIANA PORT COMMISSION

Mr. MYERS. Next we have Frank G. Martin of the Indiana Port Commission. Frank, we are pleased to have you today. I will probably have to leave before you have finished.

Mr. MARTIN. This is going to be real quick, Congressman.

Mr. MYERS. Your prepared statement will be placed in the record.

Mr. MARTIN. Mr. Chairman, this is Jennifer Simmons, a graduate of Ball State, who has joined our staff as legal and legislative, and she is going to be spending a lot of time here.

We just had a congressional orientation for all the Indiana congressional delegation, in which your staff participated, at the Capitol Hill Club, and I had the honor of showing Jennifer Charlie Halleck's picture, who, as you know, has helped Indiana make some great contributions.

This is a bittersweet moment for the Indiana Port Commission and Hoosiers all. On one hand, we are proud that you have represented our State so well for over two decades and presided as Chairman of this committee; on the other hand, we are sad to know that we will lose you to a well-deserved retirement, and your wife, Congressman, is in our prayers daily.

Mr. MYERS. Thank you.

Mr. MARTIN. For us, testifying before this committee will never be the same.

As a long-time board member of the American Association of Port Authorities and the current Vice President of the National Waterways Conference, I can say that our country's maritime industry and related public waterway infrastructure is light-years ahead of other competing countries due to the leadership of this committee since the 1970s.

Further, as a person who has lived his life in the public sector, as I have, I can think of no better example of role models than both you and Congressman Bevill.

Mr. MYERS. Thank you. Please continue. I have to go vote. Mr. Bevill will be back shortly. Sorry, Frank. I have 3 minutes to get there and I didn't bring my roller skates to get there.

Mr. MARTIN. Given the support of this committee, Congressman Myers, and Congressman Visclosky, whose district encompasses the port, the project for the reconstruction of the international port's breakwater project is on schedule. Indiana's international port was conceived and constructed by the State of Indiana in partnership with the Federal Government to create an international transportation coordination center serving the interests of middle America.

This is America's newest international port, and most people don't know that, through the vision of people like Mr. Halleck, Senator Lugar, and Congressman Myers, we are the newest port authority in America. The only one of three that is not tax supported.

But America's newest international port just had its 25th birthday. We have had $1.1 billion in private investments and have created 2,100 jobs. But probably even more importantly than that, we are providing a low-cost means by which Midwest shippers, Chicago steel industry, the midwestern Indiana steel industry is reaching the world marketplace cost effectively.

The Port Commission is developing a new capacity for a boat harbor to serve the port and we are rapidly growing. We are asking for consideration of the committee for a $190,000 appropriation to help with the handicapped access to that location, which also serves the fishing community.

The Southwind erosion control program is another request that we have asked the committee to look at. The Port Commission and the Corps, the Louisville district, have been working closely, and we estimate approximately 5,300 linear feet of bank requires stabilization in the form of riprap at a cost estimated cost of $848,000. The State is aware of the possible requirement for match, and we would be willing to do that.

We appreciate the cooperation and support of this committee. And Congressman Bevill, I just want to say, you were not in the room, but it is a very sad day for me to be here and testifying before you and Congressman Myers as a senior member of the American Association of Port Authorities and national Vice President of the National Waterways Conference.

I introduced Jennifer Simmons, who is on our staff, and a recent graduate of Ball State. We had an orientation at the Capitol Hill Club for all the congressional staffers from Indiana and I had the pleasure of showing Jennifer Charlie Halleck's portrait and telling her of the contributions he made. And following in the footsteps of Congressman Halleck are people like John Myers, who we have the greatest amount of respect for. Because of you, Congressman Bevill, and Congressman Myers, through the leadership of this committee, we have got a port system in this country that is light years ahead of other countries, and we want to thank you.

I wanted Jennifer in particular to be here today because it is our last appearance, because, Congressman, I consider you a role model. I have been here for 30 years in the public port industry and nowhere in America do people have greater respect than for Congressman Bevill, and I say that from the bottom of my heart, sir. You have been considerate and kind and caring about all of America, and not just regionally but the whole country. I say that on behalf of AAPA and the National Waterways Conference as well.

Thank you, sir. We are going to really miss you and Congressman Myers, and hopefully you will have a little time to come out and see the fruits of what you did through your vision. We have done it in Indiana.

Mr. BEVILL. Yes, I hope to do that someday.

Mr. FRELINGHUYSEN [presiding]. Thank you, Mr. Martin, for your testimony. Appreciate your being with us.

[The statement of Mr. Martin follows:]

TESTIMONY

INDIANA PORT COMMISSION
Frank G. Martin, Jr. - Executive Director
Before the Energy and Water Subcommittee, House Appropriations Committee
John T. Myers, Chairman
March 6, 1996

Chairman Myers and Vice-Chairman Bevill, thank you for the opportunity to testify before your Subcommittee today in support of Federal funding for key Indiana public port infrastructure projects.

This is a bittersweet moment for the Indiana Port Commission and Hoosiers all. On one hand, we are most proud that you, who have represented our state so well for over two decades, presides as Chairman of this important Subcommittee. On the other hand, we are sad to know that we will lose you to a well deserved retirement. For us, testifying before this Subcommittee will never be the same. As a long-time Board Member of the American Association of Port Authorities and current Vice-President of the National Waterways Conference, I can say that our country's maritime industry and related public waterway infrastructure is light years ahead of other competing countries due to the leadership of this committee since the 1970's. Further, as a person who has lived his life in the public sector, I can think of no better example of role models than both you gentlemen, Congressmen Myers and Bevill.

Indiana's primary focus remains the Army Corps of Engineers Rehabilitation of the Breakwater at our state's only International Port at Burns Harbor. The midwest maritime industry is extremely grateful for your leadership, Chairman Myers, and the support of this entire Committee, for the current breakwater reconstruction. This Committee has supported the reconstruction initiative by providing $1.6 million for Fiscal Year 1995, and $4 million for Fiscal Year 1996, which allowed this project to proceed. Based on the contractor's schedule, which has been submitted to the Corps, approximately $5 million will be needed in Fiscal Year 1997 to continue reconstruction of the breakwater project in an efficient and timely manner.

We testified last year as to the dire need for reconstruction of the breakwater. Indiana's International Port was conceived and constructed by the state of Indiana in a partnership with the Federal Government to create an international transportation-coordination center serving the interests of middle America's business, industry and agriculture. It has certainly become that and more. America's newest international port, which just had it's 25th birthday, has approximately one billion dollars in private investments and created 2,100 direct family-wage jobs.

The breakwater was constructed to assure safe harbor conditions within the port complex and allow vessels optimum efficiency for berthing and loading/discharging of cargoes. The efficiency of this breakwater structure has deteriorated over a quarter century causing loading disruption to vessels, particularly barges calling at the port complex. Under certain storm conditions, small vessels can and have been ripped from the moorings and larger vessels have been violently slammed against the dock causing serious damage to the integrity of the dock as well as to the vessels themselves. Since 1972, 3 barges, 1 survey launch and 1 tug have been sunk. Additionally, 2 ocean-going freighters have been damaged by storm related turbulence within the "protected" harbor. These instances have caused negative impacts within the marketplace that can be translated into lost cargo, lost jobs, lost economic benefits to the United States and state of Indiana.

Longshoremen, industrial tenants of the port, Indiana steel producers, midwest grain exporters, manufacturers dependent upon raw materials or finished products, ancillary transportation services (rail, truck) and others depend upon the positive image and efficient handling of waterborne cargo at Indiana's International Port.

The U.S. Army Corps of Engineers fully supports the rehabilitation of Indiana's International Port's breakwater, and has invested significant time and resources in feasibility research, design work and construction supervision. The Chicago District office of the Corps has treated this project as a priority.

Given the support of this Committee, Chairman Myers and Congressman Visclosky, whose district encompasses the port, this project is on schedule. The design and preconstruction engineering was completed on schedule and construction is ready to begin. We are pleased that the Chicago District of the Corps of Engineers continues to recognize the need to move forward speedily with this reconstruction, and hope that the Administration will include the requisite $5 million in its Fiscal Year 1997 budget request.

INTERNATIONAL PORT HANDICAPPED FISHING ACCESS

Indiana's International Port provides more than just good jobs, significant private investment, and public infrastructure. We also serve recreational needs of northwest Indiana in a unique way. The Indiana Department of Resources has found that the public access fishing facility which has been built atop our Work Boat Harbor Jetty, is one of the most productive fishing spots on Lake Michigan. But this is not an ordinary fishing spot, rather it is a modern handicapped access site with parking, lighting, ramps, rails and all the other facilities that make fishing on Lake Michigan accessible for physically handicapped midwesterners.

The Port Commission is now in the process of expanding the Work Boat Harbor to accommodate more tugs and barges, consistent with the rapid commercial growth at the port. This entails the construction of a new jetty, to be funded by the state of Indiana at a cost of $1.3 million. We believe that extension of the existing handicapped fishing access to this new jetty would enhance an already widely utilized facility. The cost is relatively modest, $190,000 -- but the contribution to the midwest's handicapped would be most significant and deeply appreciated. I include with my written testimony a map showing the site of this jetty and handicapped access site.

SOUTHWIND SHORELINE EROSION CONTROL

On the Ohio River, Indiana has an urgent need to stabilize the bank along the shore adjacent to the public port complex, Southwind Maritime Centre, at Mount Vernon. The existing riprapped bank has been in place for twenty years suffering significant deterioration due to high water, the natural wave action of the river at this bend, and barge prop wash at adjacent fleeting sites. The resulting erosion threatens the port-owned roadway, rail tracks and utilities such as water mains and underground electrical systems which run immediately above the existing river bank.

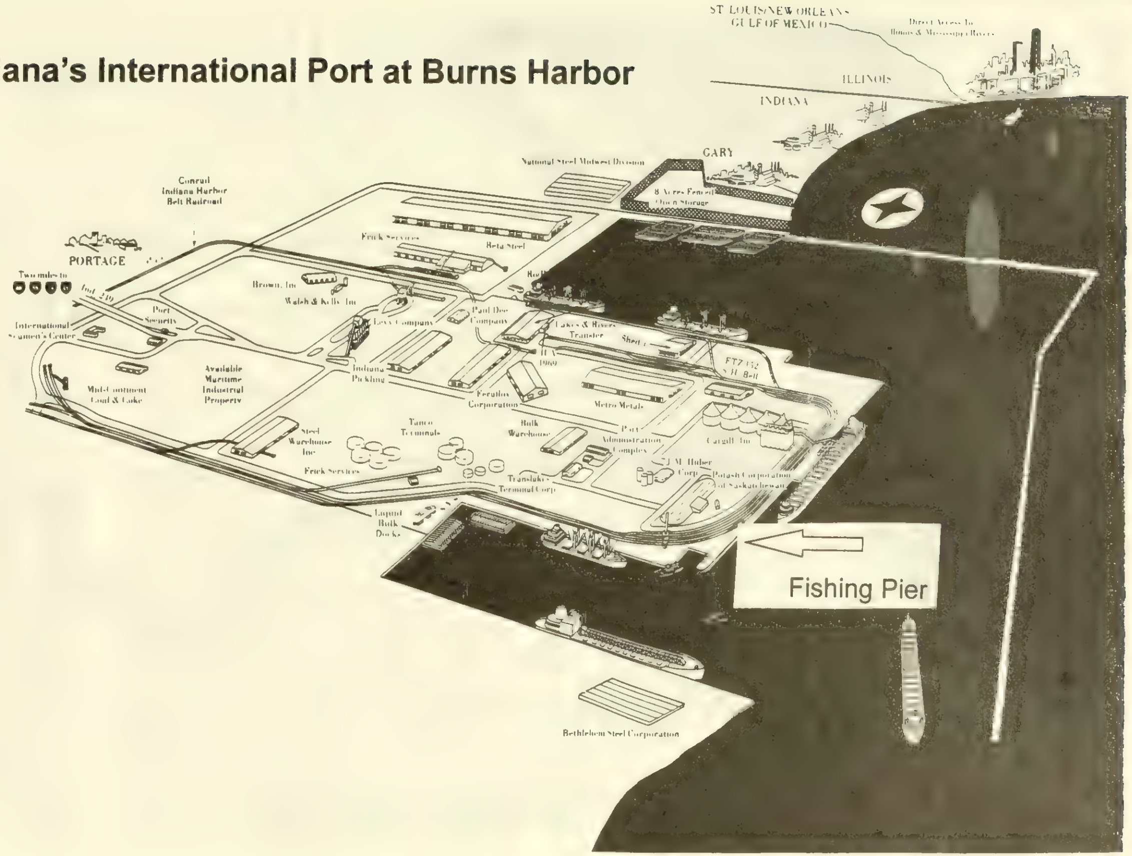
One portion of the riverbank runs through the section of the port supporting the most active barge traffic. It adjoins the new port rail and enhanced landslide cargo handling facilities. Another portion of the shoreline requiring bank restoration supports the midwest farming community which depends upon the port road running along the bank, connecting to federal highways. These roads provide access for plows, combines, and for trucks carrying produce out at harvest. The Port Commission has an obligation to maintain the road above the bank. The State of Indiana believes the Federal Government has an obligation to maintain this shoreline. I include with my written testimony a map showing the location of this Ohio River bank erosion project.

The Port Commission and Louisville District of the Corps estimates approximately 5,300 linear feet of bank requires stabilization in the form of riprap at an estimated cost of $848,000. The state of Indiana is aware of a possible requirement to provide a 25% non-federal cost share. If this is the case, 25% would be $212,000 and would be a commitment of Indiana.

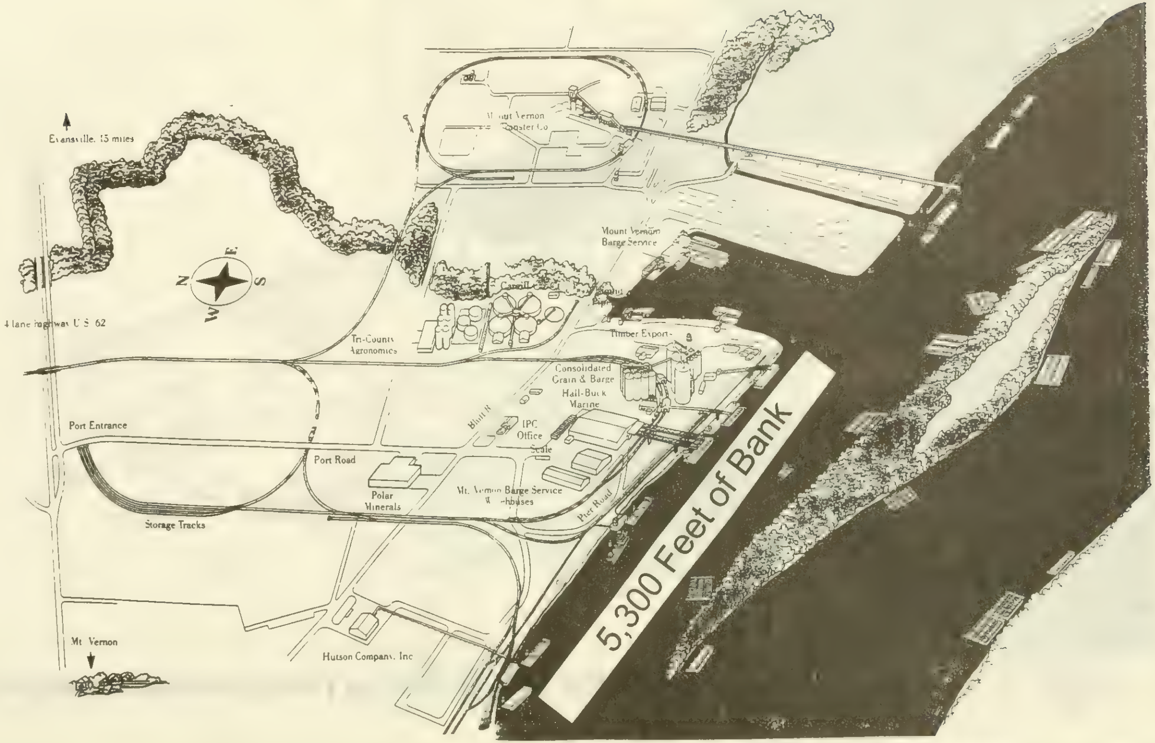
Support for this Ohio River bank stabilization project comes not only from the state of Indiana, but from the farming and business community throughout southern Illinois and northern Kentucky.

Mr. Chairman, Committee Members, I thank you for the opportunity to be here this afternoon and look forward to your visits to Indiana to physically see the fruits of your labor and how we're meeting your vision.

Indiana's International Port at Burns Harbor



SOUTHWIND MARITIME CENTRE



WEDNESDAY, MARCH 6, 1996.

SUSQUEHANNA RIVER BASIN COMMISSION PROJECTS

WITNESS

HON. GEORGE W. GEKAS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA

Mr. FRELINGHUYSEN. The Chair is pleased to recognize one of our colleagues, Congressman Gekas from Pennsylvania. Thank you for being with us.

Mr. GEKAS. Thank you very much. I bring my greetings to active and retiring members of the committee, who are still active, I suppose.

Mr. FRELINGHUYSEN. We will include a copy of your entire testimony in the record.

Mr. GEKAS. That would be important because I can't remember what is in it. It is doubly important.

I am here to make a plea for consideration of the funding for the Susquehanna River Basin Commission, but it occurs to me now that you have accepted my written commentary for the record, that what I want to project to you about the Susquehanna River Basin Commission also holds true for the Potomac system and also for Delaware, all of which have the compact with the Federal overlay which are important in their own right.

The Susquehanna River Basin Commission begins with a little trickle of water in New York, runs through Pennsylvania, then through Maryland, and empties into the Chesapeake Bay, thereby it smacks right into the Federal out play of Washington, D.C.

The importance of it, aside from the fact that the area is very, very much flood prone, and the 100-year flood seems to happen every 6 months in that region, most recently just a few weeks ago, actually makes it important for us who live in the region, number one; and number two, those of us who understand that the Federal Government in this case is actually affected not just by the fact that Federal funding is involved but rather geographically, it is right in the middle of the rain and the storm and the mud and the snow and all the catastrophes that can come from it, and that is the extra dimension I wish to portray for both the Potomac, for which I have no parochial interest at all, and the Susquehanna River Basin Commission.

There is another factor, of which I am not actually sure about the facts and I am going to lean towards my staffer for it, on the question of the fees; that is the Basin Commission retrieves revenues for the Federal Government, about $3 million annually, for water storage, et cetera, which is a federally owned flood control facility in our area near Lawrenceville, Pennsylvania.

The importance of that feature is that we may be engaged again, as we often are, in penny-wise, pound-foolish types of endeavors here in the Congress. If we abolish the system, and we have a different kind of repository set up for the water fees, who is going to manage all of that? Maybe it is safer to let the Susquehanna River Basin continue in life and to continue balancing out by letting them retrieve these monies.

Beyond that, on a personal basis, I have for years, and have been, I say, successful, and I hope my people back home hear this and know this, in striking an important note on behalf of the Susquehanna River Basin Commission flood warning system, which is an ancillary part of what we are talking about. Historically, this system is almost partially a manual system where we have volunteers checking a system of water gauges up and down the Susquehanna. That has played an important role in forecasting and preventing some of the damage that would have occurred had it not been for the head warning that we have gotten.

So we have a double entendre here of the Susquehanna River Basin Commission in its own rights, which is then the parent of the flood warning system, which also needs to be reimplemented, in my judgment. That is my plea to you. And if anyone appears here before you on behalf of the Delaware Commission or the Potomac, I would join them and submit the same written statement but just change the commission language.

Mr. FRELINGHUYSEN. They will be here, I think. The Delaware group will be here later because I met with them earlier myself.

Mr. GEKAS. Good. Other than that, I am ready to go to my next meeting.

Mr. FRELINGHUYSEN. Good. Well, thank you very much for being with us.

Mr. BEVILL. Thank you, George.

[The statement of Mr. Gekas follows:]

GEKAS

GEORGE W. GEKAS
17TH DISTRICT, PENNSYLVANIA

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEES
CHAIRMAN—COMMERCIAL
AND ADMINISTRATIVE LAW
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Congress of the United States
House of Representatives
Washington, DC 20515–3817

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March 6, 1996

Chairman John T. Myers
House Appropriations Subcommittee
On Energy and Water Development
2362 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

We recognize and commend your efforts, as Chairman of the House Energy and Water Development Appropriations Subcommittee, to reduce discretionary spending in order to balance the federal budget and save future generations from bankruptcy. Unfortunately, we believe the rapid pace of the first session of the 104th Congress did not allow us ample opportunity to bring to your attention an issue of great importance to Pennsylvania, funding for the Susquehanna River Basin Commission (SRBC).

The Commission is a federal interstate compact agency whose membership includes the states of Pennsylvania, Maryland, and New York. We would like to take this opportunity to outline for you and the members of the committee the safety, environmental, and fiscal reasons for fully funding the SRBC for FY'97.

As you know, many regions of the country were ravished by floods this winter. In particular, Pennsylvania's Susquehanna River (one of the most flood prone rivers in the country) reached the second highest flood stage ever recorded, devastating communities with treacherous waters and ice floes. The result was over $700 million in property damage, not including economic loss due to paralyzed commerce. If it were not for the timely and accurate reporting of the Susquehanna River Basin Flood Warning System (SRBFWS), thousands of people living along the river would not have been evacuated and brought to safety. However, based on conference report language from H.R.1905, the Fiscal Year 1996, Energy and Water Development Appropriations Bill, we fear this subcommittee may not be aware of the critical flood coordinating efforts administered by the SRBC and the safety void that would result if funding were eliminated.

As background, it may be helpful to know that the SRBC and SRBFWS are funded through two separate bills, the Energy and Water Development Appropriations and the Commerce, Justice, State, and Judiciary Appropriations measures, respectively. While funding for the SRBFWS is not directly in jeopardy, it is indirectly threatened by the lack of funding for the SRBC, which administers and coordinates flood planning for the basin. Currently, the SRBC works with a total of seven state and federal agencies to manage the SRBFWS. If this committee pursues its course of action, as outlined in the FY'96 conference report, adequate flood warning along the Susquehanna River would be in jeopardy.

Still, you should be aware that the Commission's work does not end with flood control. In fact, a primary responsibility of the Commission is to manage the interstate flow of water for the nation's largest eastern river (the Susquehanna River) which flows across three states, and ultimately becomes half of the fresh water entering the Chesapeake Bay. It is important to recognize that the Commission has played a significant role in interstate water management and without its presence, interstate water disputes would undoubtedly erupt.

Due to this role, the Commission has also taken on many environmental responsibilities. Because of the heavy flow of fresh water from the Susquehanna River into the Chesapeake Bay the Commission oversees many environmental issues, such as agriculture nonpoint source runoff and wetlands mitigation. However, the Commission's most important environmental role is to measure consumptive water use and to make sure the iver does not reach unhealthy low levels due to commercial and gricultural uses.

As a result of consumptive use management, the SRBC pays the federal treasury more than $3 million annually for water storage in the Cowanesque Reservoir, a federally owned flood control facility located near Lawrenceville, Pa. on the N.Y.-Pa. border. These are monies the federal government would not be receiving but for the action of the Commission.

For every dollar the federal government invests in the SRBC, eight dollars are returned to the federal Treasury. The Commission is now formulating plans for similar storage and release projects in other federally owned reservoirs, which would also return money to the Treasury and provide more low flow enhancement. It makes little sense to us to eliminate one of the few programs that returns more dollars annually to the U.S. Treasury than it receives.

The focus of the Commission's authority, much like that of the federal government, is on interstate matters. Like the waters that flow in the river, the Commission's authority transcends state boundary lines and extends to the entire river watershed. In this way, the Commission, unlike the states alone, can comprehensively deal with important water resource issues such as the restoration and protection of the Chesapeake Bay and consumptive use of water.

We trust that you will give these points due consideration as your committee considers the Commission's FY'97 budget request of $380,000 and the future role of the federal government in the management of interstate river basins.

Sincerely,

GEORGE W. GEKAS
Member of Congress

JOSEPH M. McDADE
Member of Congress

Tim Holden
TIM HOLDEN
Member of Congress

Bill Clinger
WILLIAM F. CLINGER, JR.
Member of Congress

Paul E Kanjorski
PAUL E. KANJORSKI
Member of Congress

WEDNESDAY, MARCH 6, 1996.

ANIMAS-LAPLATA PROJECT

WITNESS

AMY MATTHEWS AMOS, SIERRA CLUB LEGAL DEFENSE FUND

Mr. FRELINGHUYSEN. The Chair recognizes Amy Matthews Amos, Sierra Club Legal Defense Fund. How are you today?

Ms. AMOS. Fine.

Mr. FRELINGHUYSEN. We will put a copy of your entire testimony in the record and if you would proceed for the next 5 minutes.

Ms. AMOS. Sure. Good afternoon, I am Amy Matthews Amos of the Sierra Club Legal Defense Fund, speaking on behalf of the Colorado Rivers Alliance, a statewide rivers advocacy group.

The Alliance appreciates this opportunity to provide testimony to the committee on the Bureau of Reclamation's Animas-LaPlata water project, or ALP as it is known out West.

At the outset, the Alliance wants to make it clear it unequivocally supports the Ute tribe's claims on water for economic development of their homelands through direct use or resale. At the same time, the Alliance is unalterably opposed to the Animas-LaPlata project as it is presently constituted.

The Alliance believes it will prove to be a cruel and costly hoax to the Utes and the rest of the American taxpaying public as well. And I would like to outline for you why.

First, the construction cost estimates for ALP are hopelessly low. Even given today's eye-popping $710 million price tag, the Alliance feels certain that the ALP, if built as presently designed, would cost well in excess of $2 billion. This certainty is based on a comparative analysis of the estimates used to justify construction appropriations for the Dallas Creek and the Dolores projects and what they are actually costing us now. Both of these are Bureau of Reclamation projects located in western Colorado in close proximity to the proposed ALP site.

The Bureau of Reclamation told Congress and the American people that the Dallas Creek project would cost about $50 million. Today, as they approach completion of that project, construction costs exceed $160 million, approximately a 300 percent cost overrun.

The Bureau told Congress and the American people that the Dolores project would cost approximately $186 million. Today, as they approach completion of that project, the construction costs are about $600 million, also a cost overrun of about 300 percent.

Lest anyone think that Colorado is simply dogged by particularly bad engineering cost estimators, the alliance draws your attention to the Central Arizona Project, or CAP. Originally that project was supposed to cost considerably less than $1 billion. Today it tops the scales approaching $5 billion.

Yet as CAP nears completion, people in its service areas seem to want the water at lower than current prices. And after all the taxpayer money that has been spent, the original champions of the project are often saying that it costs too much. The alliance fears that this could be a foreshadow for the ALP.

Just how expensive will ALP water be to water users? Well, even if we accept the Bureau's highly suspect cost estimates, the cost of municipal and industrial water will be over $2,500-per-acre foot plus interest over a 50-year repayment period. More realistically with cost overruns of around 300 percent the cost of an acre foot of ALP water would exceed $8,000-per-acre foot plus interest over 50 years.

The Bureau estimates the Federal construction investment to be about $2.5 million per farm on farms that average about 2,000 acres, of which 500 will be irrigated. Of this amount, the Bureau has estimated that only about 3 percent can be repaid by farmers over 50 years and without interest. Yet increases in CRSP power rates make even the annual repayment of operating costs impossible. These rate increases mean that the repayment capacity of the farmers in the area is lower than the current requirements for the operation and maintenance of the project.

By comparison, what does non-ALP——

Mr. FRELINGHUYSEN. Ms. Amos, you will have to somewhat summarize to be within your 5-minute period of time.

Ms. AMOS. Sure.

One other point to make about the construction costs is that there are costs other than construction that will be applied to the project, and that includes losses in Federal hydropower generating capacity resulting from it and increases in salinity downstream.

The Colorado River Alliance basically wants to make the point that new alternatives need to be considered and clearly these alternatives should be considered before construction funding for this project proceeds. The alliance asks the committee to review the alternatives developed by the Southern Ute Grassroots Committee. This group also opposes the current ALP project design and has submitted suggested improvements to the Commissioner of the Bureau of Reclamation.

In conclusion, the alliance hopes that an arrangement could be made directing the Bureau to look at new alternatives with oversight and direction provided by a citizens' group made up of Indian taxpayer and environmental interests.

Thank you for the opportunity.

Mr. FRELINGHUYSEN. Thank you very much for your testimony and moving right through it.

Thank you.

[The statement of Ms. Amos follows:]

Colorado Rivers Alliance
Helping communities protect rivers

March 5, 1996

Congress of the United States
House of Representatives
Committee on Appropriations
Washington, D.C. 20515-6015

Subject:
Testimony submitted to the Congress of the United States House of Representatives Committee on Appropriations, March 6, 1996, regarding the Animas-La Plata Project.
Submitted by:
Phil Doe, former employee of the Bureau of Reclamation, in conjunction with Colorado Rivers Alliance, Nancy C. Jacques, Executive Director.

"We of the Colorado Rivers Alliance appreciate the opportunity to provide testimony to the Committee concerning the Animas-La Plata Project, or "A-LP" as it is known out West.

At the outset, we want to make clear that Colorado Rivers Alliance unequivocally supports the Ute Tribes' claims on water for economic development of their home lands through direct use or resale. At the same time, we hasten to add that we are unalterably opposed to the Animas-La Plata Project, as it is presently constituted, for it will unquestionably prove to be a cruel and costly hoax on the Utes and the rest of the American taxpaying public.

A few observations on why we know it will prove so:

First of all, the construction costs for A-LP are hopelessly low, even given today's eye-popping $710 million price tag. We think A-LP, if it were built as presently designed, would cost well in excess of $2 billion. We base this statement on comparative analyses of the costs used to justify construction appropriations for the Dallas Creek and Dolores Projects and what they are actually costing. Both are Bureau of Reclamation projects and both are located in western Colorado in close proximity to the proposed A-LP site.

The Bureau of Reclamation told Congress and the American people that Dallas Creek would cost about $50 million. Today, as they approach completion of that project, the construction costs exceed $160 million, or approximately a 300% cost overrun.

Nancy Jacques, Executive Director
Bill Baker, President

OFFSET
CAMERA COPY

P.O. Box 4054, Durango, CO 81302
Phone/FAX (303) 259-3209
CompuServe 75017.1444

The Bureau of Reclamation told Congress and the American people that the Dolores Project would cost approximately $186 million. Today, as they approach completion of that project, the construction costs are about $600 million, for costs overruns exceeding 300%.

Lest anyone think that the explanation must be that Colorado is simply dogged by particularly bad engineering cost estimators to the happy exclusion of the rest of the country, we invite your attention to the Central Arizona Project, or CAP. Originally, that project was supposed to cost considerably less than $1 billion. Today it tops the scales approaching $5 billion. Interestingly, as CAP nears completion, we hear that nobody in the CAP seems to want the water except at fire-sale prices, and everybody is suing everybody else because, all of a sudden, after all the taxpayer's money has been spent, the original champions of the project say it costs too much. Could this be a foreshadow?

Just how expensive will A-LP water be on an individual scale? Well, even if we accept, for the moment, the Bureau's highly suspect cost estimates, (which, incidentally, are based on outmoded 1968 economic procedures and interest rates abolished by the Reagan Administration in 1983) the cost of municipal and industrial water, or M&I water as it is called, will be over $2.5 thousand an acre foot, plus interest over a 50 year repayment period. More realistically, with cost overruns in the magnitude mentioned above, the cost of an acre foot of A-LP water would exceed $ 8 thousand, plus interest on a 50 year loan.

On an individual farm basis, the Bureau estimates the federal construction investment to be about $2.5 million on farms that will average about 2,000 acres, of which 500 will be irrigated. Of this amount, the Bureau estimates only about 3 percent can be repaid by individual farmers over 50 years and without interest. In fact, recent increases in CRSP power rates erase even this piddling capability, making even the annual repayment of operating costs impossible, and, thereby, the irrigation component of the project infeasible under Reclamation law.

By comparison, what does non-A-LP water and land sell for in the Durango area? Well, according to the bureau's latest economic study of July 1995, irrigated farm land sells for about $700 an acre. Moreover, we might expect, as a general rule, this land to have diversion rights for perhaps 3 acre-feet per acre. Thus developed water, of which there is a considerable amount in the area, might be acquirable on a willing-seller basis for 1/10th to 1/40th the cost of A-LP water. In a free market economy, which would you buy? Which should we buy?

pg. 3: Animas-La Plata

Even as mind boggling as A-LP construction costs are, they are not ALL the costs necessary to make A-LP work. For example, the Bureau estimates the loss in federal hydro-power generation from A-LP diversions at up to $13 million a year, or about $1.3 billion over the 100 year life of the project. It also estimates the costs in water quality degradation from salinity at $8 million annually, for another $800 million in operational costs over the life of the project.

These are costs that project proponents can not and will not pay. In anticipation of the objections by water development interests in Colorado, we recognize their rights to develop water, but it is equally right that these costs be recognized as project development costs that American taxpayers will be paying in their behalf. How willing is the taxpayer to incur such expense in consideration of the current deficit and Congressional attention to spending cuts?

Clearly, new alternatives need to be developed before construction funding to A-LP commences. Therefore, we ask you to review the alternatives developed by the Southern Ute Grassroots Organization. They, too, oppose the current A-LP Project design, often for reasons similar to those listed above.

We would hope that arrangement could be made directing the Bureau of Reclamation to look at new alternatives, with oversight and direction provided by a citizen's group made up of Indian, taxpayer, and environmental interests. No more than two years should be given to development and analysis of alternatives.

And to insure that the two Ute Tribes benefit from such time and analysis, we also suggest that Congress authorize payment to the Tribes for the value of their water in terms of hydro-power generation and water-quality enhancement during this study period.

Thank you, again, for the opportunity to express our views."

Respectfully submitted:
Colorado Rivers Alliance
Phil Doe
Nancy C. Jacques, Executive Director

WEDNESDAY, MARCH 6, 1996.

CENTRAL UTAH PROJECTS

WITNESS

HON. JAMES V. HANSEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF UTAH

Mr. FRELINGHUYSEN. The Chair is pleased to recognize Chairman Hansen and Congressman Orton from Utah. Both gentlemen from Utah. And the younger-generation constituent.

Thank you both for being with us. I am not sure whether we will yield to youth or what here.

Mr. BEVILL. Mr. Chairman, that is his successor.

Mr. FRELINGHUYSEN. Chairman Hansen, thank you for being with us.

A copy of your testimony will be included in toto for the record. If you could proceed for the next 5 minutes that will be wonderful.

Mr. HANSEN. Mr. Chairman, I am in a supportive role, I believe, to Congressman Orton. It is in his district. I am here as a supporter, so would it be all right if he goes first?

Mr. FRELINGHUYSEN. Absolutely.

Thank you both for being with us.

WEDNESDAY, MARCH 6, 1996.

CENTRAL UTAH PROJECTS

WITNESS

HON. BILL ORTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF UTAH

Mr. ORTON. Thank you, Chairman Hansen, and the committee.

Greetings to the Chairman and Mr. Bevill. It is a pleasure to be here.

Last year, I came to make the same request on this project the day after my son was born. Chairman Myers and Mr. Bevill suggested if my son came in and made the request we would be certain to have it funded. So here he is.

Actually, all kidding aside, the Central Utah Water Project began in its design phase when I was about the size of my son. We have been working on it for the past 40 years. The completion act, as you know, was passed a few years ago and there is a 5-year time clock that is ticking on us to identify and put into place any completion projects, any replacement projects for those portions of the project that will not be completed, the UPALCO, and so on. And so we need the continued commitment of the Appropriations Committee in order to meet those statutory requirements.

We have with us today folks from the Central Utah Project who will give you detailed information, but I am just as pleased to be here. My son is just finishing his bottle, but he wanted to tell you something, and I don't know if he is prepared to do it. On the way over he was telling me "Umm, umm, umm, da-da," and what that means, loosely translated, is "Please give my dad what he wants."

So we would appreciate it if you would continue funding the Central Utah Project.

And now Chairman Hansen, and I believe, Gary Palmer, is going to speak for the district itself.

[The statement of Mr. Orton follows:]

TESTIMONY OF REP. BILL ORTON

ENERGY & WATER APPROPRIATIONS SUBCOMMITTEE

regarding the

FY 1997 APPROPRIATION FOR THE CENTRAL UTAH PROJECT

MARCH 6, 1996

Thank you Mr. Chairman, Mr. Bevill and distinguished members of the Energy and Water Appropriations Subcommittee for the opportunity to present testimony in support of the Utah delegation's FY 1997 funding request for Central Utah Project Completion Act (CUPCA). I am also pleased to have the opportunity to introduce Mr. Gary Palmer, Chairman of the Board of Directors for the Central Utah Water Conservancy District and his colleagues from the conservancy district to you today.

Mr. Chairman, Mr. Bevill and members of the subcommittee, I know you are all very familiar with the merits of the Central Utah Project, and I will allow Mr. Palmer of the Central Utah Water Conservancy District speak on the finer points of this request. Fortunately, the Central Utah Project has achieved such widespread support that funding requests have been relatively non-controversial. I thank this subcommittee, Congress, and Administration for all being very supportive of last years appropriation. As you know, the state of Utah has been working on this issue for over forty years now, and it has just been in the last few years that we have begun to see light at the end of the tunnel. The current Chairman and past Chairman should be congratulated for their nonpartisan stewardship of this subcommittee which ensures that we as a Congress are able to complete the peoples business. A funding request for an important water project in an appropriations subcommittee may not be very appealing for the media to focus its attention on, but please be assured that the people in my District and the state of Utah certainly appreciate your even handed stewardship to ensure that the CUP stays on course toward its completion.

As you know, the CUP Completion Act was passed in the 102nd Congress with strong bipartisan support. In that act, the Central Utah Water Conservancy District (CUWCD) was given the responsibility of overseeing all planning, design, environmental compliance, and construction activities of the CUP. Therefore, I am here today to urge the subcommittee to favorably consider the Utah delegation's request of a CUP FY 1997 appropriation of $43,014,000. This funding will also support the activities of the Utah Reclamation, Mitigation, and Conservation Commission (URMCC). As we all know, with the prolonged budget stalemate, the Administration has not yet submitted its FY 1997 budget. However, last year the Administration requested a total of $44.1 million for the CUP which was approved by your subcommittee.

In the short time span since the CUPCA has been signed into law, the CUWCD has been extremely successful in carrying out its overall mission of moving toward the final completion of the CUP. As you know the CUPCA provides for completion of the Central Utah Project by the CUWCD, but the CUPCA also authorizes funding for fish, wildlife, and recreational mitigation and conservation. The FY 1997 request for current budget authority is $43,014,000, of which $24.5 million of these funds will come to the CUWCD to conclude the planning and NEPA approval process which will finally clear the way for the construction on the remaining authorized facilities of the project.

As you know, Mr. Chairman, the CUPCA contains several project authorizations which expire within five years. Fortunately, completion of the CUP is on time and under budget. As the officials of the District will outline, the district will be seeking final feasibility studies and NEPA compliance documents for the three remaining unconstructed projects in the CUP later this summer. I know we say this every year, but without this current appropriation request being funded, it could seriously hamper the CUWCD's ability to meet the deadline contained the Completion Act. Mr. Palmer will now provide you with more of the specifics of our delegation's request.

Again, I would like to thank the Chairman, Mr. Bevill, and the entire subcommittee for allowing me the opportunity to testify on behalf of this very worthwhile on-going project.

Mr. FRELINGHUYSEN. Thank you, Congressman, for your comments.

Mr. Hansen.

Mr. HANSEN. Mr. Chairman, thank you.

I have been in front of this committee so many times over the years I am embarrassed to be here.

I just want to thank Tom Bevill for the great courtesy he has always shown, and our good friend John Myers, who is just coming in, as Chair, and all the hours I have sat with John on the Ethics Committee. Years and years we have sat together.

Mr. MYERS. You are bragging about it. It is purgatory.

Mr. HANSEN. Well, anyway, this is one of the perpetual things in Utah that we are very proud of, as we have stated many times. We need a little water in the dry State of Utah. It is probably something people back East don't even realize what an importance it is to us. So we are so grateful for the assistance we have had from the committee.

We want you to know everything seems to be on time. These folks running it, Don Christiansen and his people, are up with schedule. Things are looking good, and I am sure it will be finished before the second coming, but I am not too sure. It will be somewhat close. We are here again trying to see if we can get this thing behind us and done, and it is a real blessing to the West.

I don't think people realize the way this radiates. Utah right now is probably the best managed State, according to Money Magazine. We have more high-tech more people in that area. Well, that spills out all over the world. It is not just the little State of Utah. It helps everybody in every State. If you don't have water, you cannot do it.

I got in this business 36 years ago fixing a water system, and my heart is kind of in water projects. I honestly feel this is a very good and necessary thing, and I just thank you for this great support you have given us, and I know you have both been out there and the kind of hours you have spent on this, and I know your knowledge on this. I probably couldn't say anything that you people are not way ahead of me on.

Thank you, Mr. Chairman.

Mr. Bevill, thank you.

Mr. BEVILL. Thank you, Mr. Chairman.

We have enjoyed working with you.

Mr. HANSEN. Thank you.

Mr. MYERS. Boy, he is really growing.

WEDNESDAY, MARCH 6, 1996.

CENTRAL UTAH PROJECTS

WITNESS

HON. ENID WALDHOLTZ, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF UTAH

Mr. HANSEN. We also have Congresswoman Waldholtz with us.

Mr. MYERS. Enid is back? She just was here. Was that your sister, then?

Mrs. WALDHOLTZ. I have cloned myself so I can get more done.

Mr. Bevill, I will simply say that I testified a few minutes ago and I just wanted to add my thanks for all that you have done to get CUP, online. We appreciate everything that this committee has done, recognizing the unique problems of water in the West.

I won't take any more time. I pestered John all the way on the subway back. We need your help and we appreciate everything that you have done in the past and we appreciate the opportunity to get this project completed.

Mr. BEVILL. We will certainly be working with you.

Mrs. WALDHOLTZ. Thank you.

[The statement of Mrs. Waldholtz follows:]

ENID G. WALDHOLTZ
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Statement of the Honorable Enid Greene Waldholtz before the Subcommittee on Energy and Water Development Appropriations
March 6, 1996

Chairman Myers, Congressman Bevill and other members of the Committee. On behalf of the people of Utah, whom I represent, I want to thank you for the many years of support you have given to the Central Utah Project. You have been good friends to the people of Utah, and you will be missed as you end your careers in the Congress.

We are very grateful that you will remain with us through the remainder of this session so that you can shepherd the FY97 funding bill into enactment. You are to be commended for having successfully enacted an FY96 funding bill, a task which has still not been accomplished by some of your sister subcommittees.

FY97 is an important funding year for the CUP. It will provide the funding necessary to enable the Central Utah Water Conservancy District to complete the planning and preconstruction activities for the remaining unbuilt features of the project. It will also fund completion of construction on the important Diamond Fork Water Conveyance System, which will bring Colorado River basin water through the Wasatch Mountain range into the Bonneville basin for use by the people who reside along the Wasatch Front. It was for this central purpose that the CUP was planned and built.

For all these purposes Mr. Chairman, we are asking for a Fiscal Year 1997 appropriation of $43,014,000. This includes funding for the activities of the District ($25 million) as well as those of the Utah Reclamation, Mitigation and Conservation Commission ($15 million). This amount also funds the activities of the Interior Department in overseeing and approving the planning for CUP.

I am pleased to report Mr. Chairman that the District is taking some important steps in the area of water conservation. The District Board has funded 13 projects, which will save 12,500 acre-feet of conserved water each year. And we have just begun. In FY97, the District is asking for $2 million to continue this effort, and will match this amount 50/50 to select additional project that will conserve more water. The water conserved will remain in the streams and rivers generating firm flows for fish and habitat until such time as it is needed by the water users. I am proud to report that the water being conserved comes equally from agricultural and urban waterusers. It is the District's plan to ultimately conserve nearly 40,000 acre-feet of water for future use. In an arid state like Utah, it is imperative that we manage our most precious resource -- water -- so we can preserve it for future generations.

Once again Mr. Chairman and Rep. Bevill I want to thank you for being friends to Utah and friends to the Central Utah Project. We wish you the very best. Thank you.

WEDNESDAY, MARCH 6, 1996.

CENTRAL UTAH PROJECTS

WITNESSES

GARY PALMER, CHAIRMAN, UTAH WATER CONSERVANCY DISTRICT
DON A. CHRISTIANSEN, CHAIRMAN, UTAH RECLAMATION MITIGATION AND CONSERVATION COMMISSION

Mr. ORTON. I believe we have Gary Palmer with us, who is the Chairman of the Utah Water Conservancy District, and who is going to give the specific information regarding the request.

Mr. PALMER. I wish my name was Arnold Palmer, but, unfortunately, it is not.

Mr. BEVILL. You belong to that group that didn't believe much or think much of golf.

Mr. PALMER. Right after I get off the course.

We appreciate the opportunity to appear before this committee. It is with a note of sadness, I know you have heard this, it sounded like a funeral all day, but we are going to miss the opportunity to appear before you two gentlemen.

We know you have been out in our district, you have kicked clods with us, you have looked at our projects, you have looked at our city and our great tabernacle and all the other assets that we have, and we know that you are great people.

And, Congressman Myers, your wife is in our prayers.

Mr. MYERS. Thank you very much.

Mr. PALMER. We know that these are tough times, but we would like to tell you that the Central Utah Project is both on time and under budget. We have tight time frames that we need to do to get through our EIS's.

We are going to the Secretary of the Interior for approval of the final feasibility studies and the NEPA compliance documents for three remaining unconstructed components of the CUP, the Spanish Fork, to Nephi, the Wasatch County Water Efficiency, and the Uintah Basin Replacement Projects.

We have followed a rigorous public involvement process. We feel we have responded to the needs and the concerns of our citizens. The result is that we will have a great water project that will deliver significant water supply to our people and at less cost than we previously planned, and I think that is good news.

We have taken great care and concern about our environmental problems. We have worked on our mitigation, our enhancements. They are well-planned. This year, we are asking for $43,614,000, which includes the funding for the activities of the district as well as the Utah Reclamation Mitigation and Conservation Commission; $24.5 million of these funds will come to the district to conclude our planning and NEPA approval which will clear the way for construction.

Eighteen million dollars is to go to the Diamond Fork System, which will basically complete that. It will finally bring water from the Colorado Basin to the Bonneville Basin, where our major population resides and in the area of water conservation, over the past 2 years we have received 65 applications, so we are well under way for water conservation.

We have approved funding for 13 projects, which results in 12,500 acre feet of conserved water. We have several more projects that we are looking at that will take us to our goal of 39,000 acre feet of water.

Our fiscal year 1997 request includes $2 million for the 50 percent Federal share of these conservation projects. In addition, we have asked for $17 million for the Utah Reclamation Commission. Our general manager, if there is time, who is also Chairman of that Commission, will go into that aspect.

Finally, it is critically important that the subcommittee continues to appropriate funds from the budget of the Western Area Power Administration representing the CRSP power users contribution to the CUPCA title. So the State of Utah has appropriated its $3 million. We have our contribution in the budget, so we feel it is imperative for the Federal contributions to continue as authorized in CUPCA.

Once again, we appreciate you, Mr. Chairman, and Mr. Bevill, and we would like to have you come back and see us when you are a little more relaxed and have the time to look over what has happened in our district. We appreciate your counsel over these years and you will be missed.

Mr. MYERS. How is spring skiing?

Mr. PALMER. It is great. It just snowed again.

Mr. BEVILL. Thank you very much.

Mr. PALMER. So come for snow or golf, but just come.

Mr. MYERS. Thank you.

[The statement of Mr. Palmer follows:]

STATEMENT OF GARY PALMER,

CHAIRMAN

CENTRAL UTAH WATER

CONSERVANCY DISTRICT

BEFORE THE HOUSE APPROPRIATIONS

SUBCOMMITTEE ON ENERGY AND

WATER

MARCH 6, 1996

Chairman Myers, Congressman Bevill and members of the Committee. It is with some degree of sadness that we come to you today in what will be our final appearance before Chairman Myers and Rep. Bevill. For two decades officials of the Central Utah Water Conservancy District have traveled to Washington, D.C. during "tin cup week" to present our annual funding request for the Central Utah Project. Speaking on behalf of all those who have gone before us, we thank both of you for your graciousness and for your continuing support. We regret the decision you have independently made to retire from the Congress, but we want you to know that if either of you are traveling in the west during your newly found free time, please come to see us so we can return the hospitality you have shown to us for so many years.

I am pleased to be able to report to you today that completion of the Central Utah Project is both on time and under budget. Following the tight time frames contained in the Central Utah Project Completion Act (P.L. 102-575) passed in 1992, the District will be presenting later this summer to the Secretary of the Interior for his approval final feasibility studies and NEPA compliance documents for the three remaining unconstructed components of the CUP; the Spanish Fork to Nephi Conveyance facility (SFN), the Wasatch County Water Efficiency Project and the Uintah Basin Replacement Projects. The District has followed a rigorous public involvement process and we have responded to the needs and concerns of Utah's citizens. The result is that we will have a water project that will deliver significant water supply benefits to more people and at less cost than was previously planned. More care has been taken concerning environmental impacts of these projects and environmental mitigation and some enhancements have been planned.

For Fiscal Year 1997 Mr. Chairman, the District is asking for a total Central Utah Project appropriation of $43,614,000 which includes funding for the activities of the District as well as those of the Utah Reclamation, Mitigation and Conservation Commission (URMCC). $24.5 million of these funds will come to the District to conclude the planning and NEPA approval process which clear the way for construction on the remaining authorized facilities of the project.

With the funding provided by your subcommittee last year we began construction of the Diamond Fork System. The major portion of the District's FY 97 request, almost $18 million, is to complete construction of the Diamond Fork System which will finally bring water from the Colorado River Basin over to the Bonneville basin for use by the population which resides along the Wasatch Front.

In the area of water conservation Mr. Chairman, during the first two years of the program the District has received over 65 applications for water conservation projects under section 207 of CUPCA. Of these, we have approved funding for implementation of 13 projects which will result in 12,500 acre-feet of conserved water each year. This year we will review additional projects from which we will select several to help take us to our goal of 39,294 acre feet of conserved water annually. Our FY 97 request includes $2 million for the fifty percent federal share of these water conservation projects.

In addition to the District's request for funding, Mr.

Chairman we also ask for $17 million for the Utah Reclamation, Mitigation and Conservation Commission to continue its important work of providing environmental mitigation for the construction of the CUP. I will not go into detail with respect to how this funding will be used as the District's General Manager Don Christiansen is here and he also serves as Chairman of the Commission and that information is included in his testimony on the Commission's behalf.

Finally, it is critically important Mr. Chairman that the Subcommittee continue to appropriate funds from the budget of the Western Area Power Administration representing the CRSP powerusers contribution to the CUPCA Title IV mitigation trust account. The State of Utah has appropriated its voluntary contribution of over $ 3 million for the account for FY 97 and the District's contribution has also been budgeted. It is imperative for the federal contributions to continue as authorized in CUPCA to be matched with the state and local contributions to keep this trust account funded.

Once again Mr. Chairman and Rep. Bevill I want to thank you for the long association we have had with you and we wish you the best as you move forward into the next phase of your lives. Thank You.

Mr. CHRISTIANSEN. I will take one minute.

I am Don Christiansen, General Manager of the District and Chairman of the Utah Mitigation Commission. If my statement could be entered into the record, I would appreciate that.

Chairman Myers, Mr. Bevill, you will be missed. We have enjoyed coming and spending time with you. America will miss you as much as Utah will miss you.

Mr. MYERS. It is nice to hear, even though it might be stretching it just a bit. But thank you.

Mr. BEVILL. It is all right to exaggerate.

Mr. CHRISTIANSEN. We have appreciated the association we have had with you and the time that you have spent. Do come out and see us sometime.

Mr. MYERS. Thank you.

Mr. PALMER. Thank you.

Mr. FRELINGHUYSEN. Thank you all for being with us.

[The statement of Mr. Christiansen follows:]

STATEMENT OF
DON A. CHRISTIANSEN, CHAIRMAN
UTAH RECLAMATION MITIGATION AND CONSERVATION COMMISSION
BEFORE THE HOUSE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON ENERGY AND WATER
MARCH 6, 1996

Good afternoon, Chairman Myers and members of the Subcommittee. I am Don Christiansen, Chairman of the Utah Reclamation Mitigation and Conservation Commission in Salt Lake City, Utah.

We deeply appreciate the opportunity to appear before you today in support of the FY 1997 budget for implementation of the Central Utah Project Completion Act. The Act authorized the Commission to plan and coordinate the fish, wildlife, and recreation mitigation for the Central Utah Project and other Federal reclamation projects in Utah.

The Commission has been successful in bringing the various Federal, State, and local agencies and interest groups involved in Federal reclamation mitigation together in a cooperative program to address the needs of fish, wildlife, and recreation resources.

Our major efforts to date have focused on wetland restoration along the Great Salt Lake. We have also implemented projects that have stabilized the water levels in high mountain lakes to restore conditions for fisheries and recreation. Other ongoing projects include acquisition of lands to provide for fish and wildlife habitat and recreational access and the rehabilitation of streams and recovery of native fish populations. We appreciate the support from the Subcommittee that has permitted this success.

In the past year we have also initiated development of a five-year Mitigation and Conservation Plan that has included widespread public involvement from Federal and State agencies, local governments, landowners and interest groups. Public response to the Commission's Preliminary Draft Program earlier this month was positive and enthusiastic. The Final Plan, scheduled for release on May 3 of this year will establish a comprehensive program that will allow all of the cooperating natural resource management agencies to focus their mitigation efforts in the most effective manner possible.

Our FY 1997 budget request provides $17 million to continue the planning and other mitigation activities necessary for completion of the Central Utah Project. The FY 1997 budget will allow for continuation of work to establish the Utah Lake Wetlands Preserve, which will provide fish and wildlife habitat and preserve water quality for both consumptive and recreational uses. Other authorized projects will restore stream flows and riparian habitats in the Provo and Strawberry River basins, acquire wetlands along the Great Salt Lake and the Jordan River, and substantially improve fish hatchery production to meet the high level of demand for fishing on Federal Reclamation reservoirs in the State.

Mr. Chairman, we are pleased with the progress we have made and hope we will have your continued support in carrying out our mission. Thank you.

WEDNESDAY, MARCH 6, 1996.

CORPS OF ENGINEERS BUDGET

WITNESS

HENRY CAGEY, CHAIR, LUMMI INDIAN BUSINESS COUNCIL

Mr. FRELINGHUYSEN. The Chair recognizes Mr. Henry Cagey, Chair of the Lummi Indian Business Council.

Mr. Cagey.

Mr. CAGEY. It is Lummi.

Mr. FRELINGHUYSEN. Excuse me. I took it on what the staff told me as to how to pronounce it. I apologize.

Thank you for being with us here, both of you.

Mr. CAGEY. Thank you, Mr. Chairman.

My name is Henry Cagey.

Mr. FRELINGHUYSEN. Your statement in toto will be placed in the transcript, if you could summarize and proceed for 5 minutes.

Mr. MYERS. I left a while ago, when you were getting ready to testify, so I was not here because of that. I have an emergency now, but I will read it. You were in Ag all day.

Mr. CAGEY. Yes, sir.

Mr. Chairman, Members of the committee, thank you. I will submit our written testimony. I guess you have that in front of you. I will try to summarize it.

With me today I have Merrill Jefferson, I guess who testified a little earlier on a separate issue.

Today's subject with the committee is the Lummi Shore Road Reconstruction Project that we have been working on for the last 2½, 3½ years now, and we are back here with the committee asking for assistance with the Corps of Engineers.

What we are asking for in 1997 is $3.24 million to complete the plans and the specifications and construction of the project. It was written out of the project for 1996 and so we are asking that it be included in 1997's authorization.

The second request is a waiver of the cost. I guess the way the Corps' has it laid out is they have a cap of $2 million that is used, I guess by the Corps, and we need the cap lifted, the $3.2 million, the cash portion of the request.

We are also asking that the committee recognize the in-kind contributions towards this project. Right now the cost to do such a project is getting very costly to do this project, and the tribe has been effortlessly trying to get this project going and so the in-kind contribution is another request that the tribe is making.

The second major request is also we are asking to be prioritized with the Bureau of Reclamation on a water systems connection on the reservation. A storage tank is needed on the reservation as well. The system does need to be upgraded and we feel that the storage tank will meet a lot of the needs for the Indians and non-Indians living on the reservation.

Other than that, Mr. Chairman, you have our written testimony in front of you, and I do hope that you take the time to read it and your people understand what the tribe is asking of the committee.

This road project is important to the tribe. It is one of the main roads on the reservation and we have school buses on that road.

We have utilities on the road. We have fire and emergency vehicles using that road, and it is very important that we get this project going for the safety of our own people as well as the non-Indians.

[The statement of Mr. Cagey follows:]

LUMMI INDIAN BUSINESS COUNCIL
2616 KWINA RD. • BELLINGHAM, WASHINGTON 98226-9298 • (360) 384-1489
DEPARTMENT ____________________ EXT ________

TESTIMONY OF HENRY M. CAGEY, CHAIRMAN, LUMMI INDIAN NATION
BEFORE THE
HOUSE ENERGY AND WATER APPROPRIATIONS SUBCOMMITTEE
MARCH 6, 1996
ON THE
LUMMI SHORE ROAD RECONSTRUCTION PROJECT
BUREAU OF RECLAMATION CAPITAL PROJECTS

Thank you for the opportunity to present to you our need for continued assistance to complete the Reconstruction of Lummi Shore Road and our new requests for funding of future Capital projects through the Bureau of Reclamation.

1. U.S. ARMY CORPS OF ENGINEERS REQUEST FOR FUNDING TO COMPLETE THE PLANS AND SPECIFICATIONS AND CONSTRUCTION OF LUMMI SHORE ROAD

   A. *$3.24 million Appropriation*
   Appropriate a total to $3.24 million for FY 1997 to complete plans and specifications and initiate construction of the Project;

   B. *Waiver Federal Costs Cap*
   Waive the federal contribution cap for Section 103 Project which is $2 million dollars for this project; and,

   C. *Waive Cash Portion of Local Matching*
   Waive the cash portion of the local matching requirement that would otherwise be paid by the Lummi Nation and allow the Lummi Nation portion of the matching requirement to be in-kind" only. A local match equivalent to 35% of the total Project Costs, a portion of which must be paid as cash.

2. BUREAU OF RECLAMATION CAPITOL PROJECTS FOR THE LUMMI NATION WATER SYSTEM INFRASTRUCTURE PROJECT

A.	Water system connection (Intertie) Smokehouse Road to West Shore Road and Pressure Tanks Modifications	$ 37,000
B.	Water Storage Tank as Chief Martin and Cagey Roads	$490,000
	Total Request	$527,000

LUMMI SHORE ROAD RECONSTRUCTION PROJECT

The most important project for the Lummi Indian Nation is the completion of the Lummi Shore Road Reconstruction Project which is an emergency situation affecting a major section of utility and road infrastructure serving the Lummi Indian Nation Reservation in Washington State. The erosion of Lummi Shore Road effectively cuts-off direct access to over 50% of the Reservation land base.

When Lummi Nation first testified before you two (2) years ago requesting funding to enable the U.S. Army Corps of Engineers' Section 103 Project to begin the Section 103 Project which is needed to support the reconstruction of 4.7 miles of shoreline roadway and its utility corridor, we left with the understanding that Corps funding would be available to support the estimated total cost of $3.5 million. We were devastated to learn in December of 1995 that the Corps did not have the construction funding needed to complete the Section 103 Project.

LUMMI NATION TRIBAL REQUEST

* *Appropriate a total of $3.24 million for FY 1997 to complete plans and specifications and initiate construction of the Project (or the balance of the total $3.5 million needed to complete the project subtracting Corps expenditures through FY 1996, estimated to be **$260,000).***
Based on agreement with the Lummi Nation and its Project Partners, Whatcom County, B.I.A. and Washington State Department of Transportation, the Corps has initiated and funded on a cost sharing basis the feasibility study of the proposed Section 103 Project. The Corps costs to complete this study are a part of the overall project costs. The remaining $3,240,000. is needed to complete plans, specification and actual construction of Lummi Shore Road.

* *Waive the federal contribution cap for Section 103 Project which is $2 million dollars for this project.*
All Lummi Nation partners in the LSR Project acknowledge that the estimated cost of the Section 103 Project will be over the $2 million federal costs cap. None of the participants is capable or prepared to fully assume project costs over $2 million. Therefore waiver of this cap and funding in excess of the $2 million cap is requested.

* *Waive the cash portion of the local matching requirement that would otherwise be paid by the Lummi Nation and allow the Lummi Nation portion of the matching requirement to be in-kind" only. A local match equivalent to 35% of the total Project costs, a portion of which must be paid as cash.*

The continuing deterioration of Lummi Shore Road is a direct result of the failure of multiple jurisdictions to effectively address the needs of Lummi Nation members to access their own lands and access to a transportation system that supports personal, services and commercial transportation needs. Lummi Nation did not have roads maintenance funding, or responsibility and fail to properly exercise it. Therefore it should not now shoulder the financial burdens associated with fixing the problem.

1. Current Condition of Lummi Shore Road

An emergency situation exists over the project limits. Erosional forces continue to attack the shoreline eating away sections of roadway and threatening water and sewer lines. The road has been closed since 1991 and is restricted to one-way travel at nine (9) different locations. On January 16,1996, a new slide occurred undermining another section of roadway. Others slides are likely as numerous areas show signs of slumping as a result of 1996 Winter storm season which is still not completed. According to a 1992 Traffic Count performed by Whatcom County over 1,700 vehicles still use Lummi Shore Road on a daily basis, even though the road was closed at the time. Lummi Shore Road provides a continuing safety problem for all residents and service providers who are forced to continue to use this road.

2. Brief History of Lummi Shore Road

Lummi Shore Road was constructed in 1927 to provide land based access to the Lummi Indian Reservation from the City of Bellingham. In the 1950's Whatcom County assumed from the BIA the responsibility for road repairs and maintenance. In 1991 Whatcom County officially closed the road to through traffic and announced that it had no plans to repair the road. At this point the Lummi Nation was forced to take the role of lead agency for this project.

3. Brief History of Lummi Shore Road Reconstruction Project

The project has been underway since 1992. Beginning with an Inter-local Agreement between Whatcom County and the Lummi Nation, a well coordinate team of government agencies and private interests have worked in a cooperative manner to move this project forward. This team includes the Whatcom County Division of Public Works, B.I.A. Roads Division, Washington State Department of Transportation, and FHwA, Federal Lands Highway Program.

4. Lummi Shore Road Reconstruction Project Accomplishments

a. Over $1.5 million has already been expended on this project. This includes $630,000 spent on Section 14 Corps Emergency Shoreline Protection, $300,000 of engineering expenses, $300,000 on administrative function, and nearly $300,000 on the current Corps of Engineers Feasibility Study.

b. The on-going Corps of Engineers Feasibility Study for the Section 103 Project will be completed in FY 1996 and designs plans and specifications could begin toward the end of FY 1996. Construction would begin and end in FY 1997.

c. The Lummi Nation has secured a $4.4 million grant from the FHwA Public Lands Highway Discretionary Program through the State of Washington Department of Transportation for the roadway construction and drainage improvements which will follow the shoreline stabilization work.

BUREAU OF RECLAMATION - FY97 BUDGET REQUEST BACKGROUND

The Lummi Nation has identified and prioritized water system infrastructure needs for the Lummi Reservation. The Lummi water system was constructed by the IHS over the past 30 years by connecting wells and homes and integrating small private systems in a piecemeal way, without a comprehensive plan. The system is outdated and inefficient, and unable to meet the needs of the growing reservation population. There are currently large areas of reservation land on which no homes can be built for lack of water service. The Lummi Housing Department has over 600 applications for homes. The limited saltwater-intruded groundwater makes individual wells unfeasible and unwise from a resource management and public health perspective. IHS funding is limited, and is devoted to residential over system needs. The most immediate and pressing need for the system is for water storage and improved water pressure. Reservation public safety for fire protection of existing homes and the ability to construct new homes is severely compromised until the following projects are completed.

1. Water line connection/intertie of 300 linear feet------$7,000
Where this water line dead-ends, water pressure to homes is low, and an immediate need is a short connection to intertie and loop the system in the southwestern Lummi Peninsula. While it is a short intertie, it is an important measure needed to system efficiency and water pressures.

2. Pressure tank modifications to existing tanks-----------$30,000
One of three storage tanks is not in use because it lacks a pressure altitude valve, reducing system flow in the system for the central Lummi Peninsula. This is a serious public safety hazard and reduces water flow to some homes. The IHS determined that, in 1992, the two remaining tanks provided only two days of storage volume. Since then more than 100 customers have been added and a water main has been enlarged, and the problem is even more severe.

The solution proposed by tribal and IHS engineers is to install altitude valves in each of the three existing tanks that will allow the system to maintain good pressures and keep the tanks on line for storage and fire protection, as the tanks will fill at night and be pumped during the day.

3. New water storage tank ------$490,000
The new 600,000 gallon tank, at the highest point on the Lummi Peninsula, is the first step in developing a flexible, efficient and comprehensive water system that provides for fire flows to meet standards, extensions into unserved areas, interties to loop the system, and protection of the aquifer when the available groundwater recharge is low. The Lummi Water system is dependent primarily on groundwater from an aquifer that suffers from saltwater intrusion, and tribal water resources staff monitors and reduces withdrawals as needed to protect the aquifer. The alternate supply, imported and purchased from nearby Bellingham, is extremely costly to the Lummi Water District and its customers. A storage tank will improve overall storage capacity to meet current and immediate needs due to growth of the customer base from tribal and non-tribal home construction, as well as for expanding economic development by the tribe.

Total Bureau of Reclamation Request	**$527,000**

Thank you again for this opportunity to present oral testimony.

Mr. FRELINGHUYSEN. Thank you very much for your testimony, and the committee looks forward to continuing to work for you and on your behalf.

Mr. CAGEY. One further question, Mr. Myers.

Mr. FRELINGHUYSEN. Actually, I am not Mr. Myers, but Mr. Myers was here. I am Mr. Frelinghuysen from New Jersey, Rodney.

Mr. CAGEY. You are Rodney.

Mr. FRELINGHUYSEN. That is my first name. The last name is the difficult part. Since I mispronounced your name, you have the floor.

Mr. Chairman, will do fine.

Mr. CAGEY. One thing I noticed with our committee, Mr. Rodney, is that the Lummi Nation is up in Washington State. It is up in the corner of the Canadian border and it is 20 miles from the north end of the Canadian border. We have 3, 500 members, the third largest tribe in the State out of 26, and this project is something that we have been really working very hard on. I would like to see some support from the committee on this request.

Mr. FRELINGHUYSEN. Thank you very much.

Thank you for being here.

WEDNESDAY, MARCH 6, 1996.

PORT OF HOUSTON

WITNESS

ROBERT GILLETTE, COMMISSIONER, HOUSTON AUTHORITY

Mr. FRELINGHUYSEN. The Chair is pleased to recognize two Members of the Texas delegation, Congressman Jack Fields and Congressman Gene Green.

Gentlemen, you have some others with you?

Mr. BEVILL. Mr. Chair, if I may, while they are coming to the table here. Our friend and colleague Congressman Kenneth Bentsen was planning on being here and testifying, but now finds he is unable to be here today, so he has asked me to submit his statement for the record, and I would appreciate your moving that we make that a part of the record.

Mr. FRELINGHUYSEN. Without objection.

Thank you, Mr. Bevill.

[The statement of Mr. Bentsen follows:]

Testimony before the Energy and Water Appropriations Subcommittee
The Honorable Kenneth E. Bentsen, Jr.
March 5, 1996

Mr. Chairman and members of the Subcommittee, I appreciate the opportunity to testify in support of the FY 1997 funding requested by the Corps of Engineers to begin construction on the Houston Ship Channel widening and deepening project.

This project offers tremendous economic and environmental benefits and once completed, will enhance one of our region's most important trade and economic centers.

The Houston Ship Channel desperately needs expansion to meet the challenges of expanding global trade and to maintain its competitive edge as a major international port. Currently, the Port of Houston is the second largest port in the United States in total tonnage, and is a catalyst for the southeast Texas economy, contributing more than $5 billion annually and providing 200,000 jobs.

However, the Port's capacity to increase tonnage and create jobs is limited by the size of the channel. Hence the need for the Houston Ship Channel expansion project, which calls for deepening the channel from 40 to 45 feet and widening it from 400 to 530 feet. The ship channel modernization, considered the largest dredging project since the Panama Canal, will preserve the Port of Houston's status as one of the premier deep-channel Gulf ports and one of the top transit points for cargo in the world.

In addition to these economic benefits this project also is setting a model for the nation in addressing environmental concerns.

In 1990 the Corps of Engineers, the Port of Houston, and other federal, state, and local agencies joined together in a Beneficial Users Group, or BUG, to address environmental issues relating to the channel expansion. The BUG met monthly over the last five years and conducted 14 public workshops and several studies of the ecology of the Galveston Bay to ensure that its recommendations were publicly acceptable and scientifically sound.

Because of these outreach efforts, the BUG's plan is supported by both business and environmental groups, including the Greater Houston Partnership and the Galveston Bay Foundation. This plan includes using the dredged material for the following purposes:

- Construction of 4,250 acres of salt marshes;
- Construction of an island to provide a colonial water bird nesting habitat;
- Creation of recreational boater access channels and anchorages in Galveston Bay;
- Restoration of two islands destroyed by erosion and subsidence.

These projects offer tremendous potential in helping to reverse the environmental degradation of Galveston Bay. Since the 1950s, the Bay has lost more than 30,000 acres of coastal wetlands and 90 percent of its aquatic grass beds. More than half the Bay has been permanently closed for commercial oyster harvesting.

I am working closely with the Port Authority, the Galveston Bay Foundation, the Corps of Engineers, and other groups to ensure funding to make this precedent-setting project a reality.

Again, I would like to thank the Chairman and the Members of the Subcommittee for allowing me to testify this afternoon.

Mr. FRELINGHUYSEN. Gentlemen. Let us get it started off this afternoon.

You are Mr. Gillette?

Mr. GILLETTE. I am, sir.

Mr. FRELINGHUYSEN. Welcome, and thank you for being here this afternoon.

Mr. GILLETTE. Thank you for allowing us to come, Mr. Chairman.

And my friend Congressman Bevill, it is a pleasure to come back here, as it has been the past six years, because we have always gotten just about what we asked for and we appreciate it.

I represent the Port of Houston Authority, and you will have to excuse me if I seem proud of that port and do a little bragging about it, but it is doing great. We have had an economic study since we were last here. We found out that that port contributes $5.5 billion to the economy of the country. It directly employs 53,000 jobs and indirectly 143,000 jobs. Our success is not necessarily due to the commissioners but to our magnificent staff that we have.

We are first in total tonnage, as far as torn tonnage is concerned, and second in total tonnage. We have 150 shipping lines and 160 truck lines.

I might mention one thing that could be a little bit puzzling, because I had not seen it before, and that is where we asked for money for the Corps to do the dredging and dewatering, that dewatering comes about as a result of the dredging of the channel. I guess it is 90 percent water and it goes into a disposal site, a site for dredge material, and of course it builds up.

We have devised a way, with a lot of help from good engineers, to drain that, dewater it, in other words, get the water out of it, and it allows us to use it for a whole lot more.

We started on this project seriously in 1967 to deepen and widen the channel.

Why do we want to do that? I am sure we have told you many times. It is not deep enough and ships cannot come in fully loaded. It is only 40 feet deep. We want it to go to 45 feet. It is only 400 feet wide, which creates a lot of dangers and a lot of accidents and potential problems. We want to widen that to 530.

When we first started out, we got a lot of objections from the environmental folks, so we really started concentrating and we got a lot of help from the of engineers as to how we are going to solve the problem. So they formed an interagency coordination team of all the people who are involved with the environment and those teams worked together. And one of their subteams, you might say, was an environmental protection group.

What can they do with the dredge material? That was always the big plan; what to do with it?

Well, this committee went around and talked to everybody that might be interested in using this and they found out that there are many uses for this. In fact, there were more uses than we were going to have dredge material. And one fellow said to us, he said, well, why don't you dig the channel deeper so you will have more dredge material. Of course, that was not possible, but we can create 4,250 acres of marsh. We can create boating islands and bird islands, bird sanctuaries, and we can restore two islands that have been taken away by erosion and subsidence.

So the best thing we have accomplished is that we have, we believe, when this is done, it will have a positive effect on the environment. Not a negative effect, but a positive effect. One of the classic examples is that the Galveston Bay Foundation is a foundation that really protects Galveston Bay. If somebody throws a beer can in Galveston Bay, they have to answer to that organization.

When we presented the whole plan and what we wanted to do, we got absolutely no negative comments. And, to me, no negative comments from the Galveston Bay Foundation is a rousing vote of confidence. But we do hope you will support it.

I know you have our testimony. We have worked with the Corps of Engineers. They have been very, very helpful to us and we hope that you support them in their budget request.

Thank you very much.

Mr. FRELINGHUYSEN. We will do our best.

Thank you Mr. Gillette.

[The statement of Mr. Gillette follows:]

Testimony on behalf of
The Port of Houston Authority
before the
U.S. House of Representatives
Energy and Water Development Subcommittee
Appropriations Committee
March 6, 1996

Presented by:
Robert Gillette
Commissioner

Chairman Meyers and members of the subcommittee, of behalf of the Port of Houston Authority (PHA) and the 196,000 Americans whose jobs depend on the activity of the port, I extend gratitude for the opportunity to again appear before you to testify in support of several important navigation projects we expect to be included in the U.S. Army Corps of Engineers Civil Works budget for Fiscal Year 1997.

Each of the last six years, the Port of Houston Authority has presented testimony to this subcommittee expressing appreciation for providing the funds necessary for the Houston Ship Channel to remain fully functioning by approval of funds for maintenance dredging and dewaterings of dredged disposal sites; and, to urge you to look to the future with us by providing funds for preconstruction, engineering and design for the project to widen and deepen the Houston Ship Channel. We are appreciative that each year, this subcommittee has provided the necessary support.

Since we last testified before you, the Port Authority commissioned and has received an updated economic impact survey. We are quiet proud of the results of that survey and want to share the findings with you.

THE PORT OF HOUSTON - THE NATION'S BUSIEST PORT

Port of Houston commerce generates over $5.5 billion annually to the Nation's economy and an estimated 53,000 people work in jobs that are directly related to Port of Houston activity and another 143,000 jobs are indirectly related to the port's activity. Moreover, the port generates over $200 million annually in state and local taxes and nearly $300 million in customs fees.

It is no exaggeration to say that the Houston Ship channel is one of the most important economic lifelines between our Nation and the world. Houston's favorable geographic location provides easy access to the entire world business community through key ocean, land, and air routes.More than 150 shipping lines connect Houston with more than 250 world ports. Four major railroads provide cargo distribution throughout the United States with the intermodal link of more than 160 trucking lines. The Port of Houston forms the core of the Houston international community which includes more than 350 U.S. companies with global operations and Houston offices for more than 45 of the world's largest non-U.S. companies. In addition, Houston is the home of one of the largest consular corps in the Nation, with over 60 foreign governments represented. Also, more than 20 countries operate trade offices here. These factors have made the Port of Houston a preferred gathering and distribution point for shippers transporting goods to and from the Midwestern and Western United States.

THE PORT OF HOUSTON - PROTECTING OUR NATION

During the Desert Shield/Desert Storm operation, the U.S. government deployed 106 vessels carrying 458,342 tons of government cargo and military supplies from the Fentress Bracewell Barbours Cut Terminal at the Port of Houston. In fact, between

August of 1990 and October of 1991 the Port of Houston was the second busiest port in the Nation in support of our troops. We are proud that the strategic location of the Port of Houston allows us to play such an important role in the defense of our Nation and the world.

Although the official Corps budget request for FY'97 will not be available until March 18, it is our understanding that the Corps will be requesting slightly over $7 million for maintenance dredging and the continuation of pre-construction, engineering, and design for the project to widen and deepen the Houston Ship Channel.

BACKGROUND - HOUSTON SHIP CHANNEL MODERNIZATION

The Houston Ship Channel, which opened in 1914, is believed to be the result of the first-ever federal/local cost-sharing agreement. At that time, the channel was 18-1/2 feet deep. It was subsequently deepened to its current depth of 40 feet with a width of 400 feet. This last improvement was completed in 1966. While Houston is one of our Nation's busiest ports, it is also one of the narrowest deep draft channels. As you can imagine, ships and shipping patterns have dramatically changed to meet the demands of world trade over the last 30 years. Yet, this busy waterway has not been widened or deepened to accommodate these changes. As the local sponsor for the Houston Ship channel, the Port Authority began its quest to improve the channel in 1967. For reasons of safety, environment and economics the Houston ship Channel is long over-due to be improved.

The Port Authority worked with the Corps of Engineers on the engineering and economic feasibility studies to determine if such improvements were advisable. In the developmental stages of this project, concerns were raised over the disposal of dredged material. What has happened during the study phase of the feasibility and environmental impact of the project has been precedent - setting and truly exciting.

THE PORT OF HOUSTON - PROTECTING THE ENVIRONMENT

The Port of Houston, and its partner in maintaining this federal waterway - the Corps of Engineers-are leading the way to a unique approach to addressing the environmental interests in the improvement of the Houston Ship Channel. In the late 1980's, the Port Authority and the Corps of Engineers joined with federal and state agencies to form an Interagency Coordination Team (ICT) in a cooperative effort to address environmental concerns with the project - a process advocated by environmental groups and various resource agencies. The ICT included: the U.S. Army Corps of Engineers (USACE), the U.S. Fish and Wildlife Service (USFWS), the U.S. Natural Resources Conservation Service (USNRC), the U.S. Environmental Protection Agency (EPA), the Texas General Land Office (GLO), Texas Parks and Wildlife Department (TPWD), the Texas Natural Resources Conservation Commission (TNRCC), the Texas Water Development Board (TWDB), the Galveston Bay National Estuary Program (GBNEP), National Marine Fisheries Service (NMFS), the Port of Galveston, and the Port of Houston Authority.

Several committees were established by the ICT. One of the most important committees established was the Beneficial Uses Group (BUG). The BUG, chaired by the Port, was charged with developing a disposal plan to utilize dredged material in an environmentally sound and economically acceptable manner that also incorporated other public benefits into its design. Most important was the Port Authority's committed objective that the final plan would have a net positive environmental effect over the life of the project.

We are pleased to report that the ICT unanimously approved the beneficial use plan for disposal of dredged material from the HSC project as one that will have a net positive environmental effect on Galveston Bay, while significantly increasing the net economic benefits to the region and our Nation. Three basic principles guided the BUG in their efforts: dredged material should be considered a potentially valuable resource; development of an environmentally acceptable disposal plan is intrinsic to the approval of the project; and, the adopted disposal plan must have long term environmental benefits for the Galveston Bay system.

The approach utilized by the BUG for Galveston Bay made this effort unique and precedent setting. What was attempted had never been done before. The BUG developed a preferred disposal plan rather than reviewing a proposal in a regulatory setting. The BUG also addressed one of the largest navigation projects in recent years (approximately 62 Million Cubic Yards (MCY) of new work material and an estimated 200 MCY of maintenance material over the next 50 years. Most importantly, the BUG actively solicited beneficial use suggestions from environmental interests and bay user groups whose collective ideas were given full consideration during the development of the recommended plan. In fact the community identified more beneficial uses than the material available from the project plus 50 years of maintenance dredging. The result was the identification of beneficial uses for the material to be dredged from the improvement project. The final plan includes the creation of 4,250 acres of marsh - a bird island, boater destination, restorations of two islands lost over the years due to erosion and subsidence. In addition, an underwater berm will be constructed to provide storm - surge protection and habitat.

PORT DEVELOPMENT AND ENVIRONMENTAL IMPROVEMENT - PARTNERS

Sound scientific methods were used to examine alternative beneficial use plans including:

- hydrodynamic and salinity models
- analyses of physical data
- sediment contaminant studies, and,
- National Marine Fisheries Service productivity studies to determine the most environmentally appropriate locations for marshes.

To test the BUG's concepts outside the laboratory and to highlight the positive effect of beneficial uses, the Port Authority committed to three demonstration projects in partnership with others. First, the Port Authority and the Corps developed a demonstration marsh on Atkinson Island within previously designated disposal areas in upper Galveston Bay. The 220-acre marsh consists of emergent fill material and 40 acres of shallow, open water.

The cord grass for this marsh was developed within a second partnership. Using field offices, a greenhouse and ponds located at a facility owned by Houston Lighting & Power Company (HL&P), the Port Authority teamed with them and the NRCS to develop a salt grass planting program to supply material for the demonstration island. Training and utilizing participants of the federal Americorps program, the NRCS managed and provided oversight of this large-scale, cord grass cultivation program.

A study was developed to test the large scale feasibility of constructing oyster reefs using coal combustion by-product. The Port Authority entered into yet a third partnership, again with HL&P and GBNEP, to develop a five-acre artificial oyster reef in the Bay, utilizing material from coal ash from local power plants. This partnership demonstrated that successful development of cost-effective, high-quality artificial reef material can benefit the Texas coastal marine ecosystem with associated benefits to all oystering and fishing interests. Equally important is that such use of coal ash material is yet another example of the beneficial recycling of what would otherwise be considered "waste" material.

PORT OF HOUSTON - LOOKING TOWARD THE FUTURE

The voters of Harris County in 1989 committed significant local funding to support these improvements. By a 2 to 1 vote, citizens approved a measure that will provide the local funding ($130,000,000) to deepen the channel to 45 feet and widen it to 530 feet. The Corps of Engineers and resource agencies involved in the ICT and BUG process have worked diligently to address all concerns and to develop a truly unique approach. The Port Authority heartily commends the cooperation and hard work of the Corps of Engineers and the state and federal agencies who have participated in the process that has this project being applauded across the maritime and environmental communities.

All required studies on this improvement project have been completed. The review periods for public comment produced several noteworthy positive comments including praise for the beneficial use plan by the Galveston Bay Foundation and other environmental groups. Most significant is the fact that the Supplemental Environmental Impact Statement (SEIS) on this project is the first in history to have netted no negative comments, during the public review.

The review from the agencies, the same agencies who unanimously approved the BUG plan, will be completed by March 12. The Corps will then begin the internal process to ready the project for the issuance of the Chief of Engineer's report. We have been assured by the Corps the Chief's report will be issued in time for inclusion in the 1996 Water Resources Development Act.

In addition, there are a few other comments regarding the WRDA bill and the report language that are essential to the smooth transition from authorization to appropriation to construction. Both the Galveston District of the Corps and the Port Authority are committed to the continuation of the collaborative effort on which the work on this project has been based, particularly in reference to the design and construction management elements of the BUG plan. Moreover, such heightened participation is consistent with recent initiatives from the Assistant Secretary's office to involve local sponsors more deeply in project implementation. However, currently , there is no authority in WRDA for this to occur, i.e., working together sharing both expertise and manpower prior to authorization and execution of the Project Cooperative Agreement (PCA). Accordingly, specific language will need to be included in the WRDA authorizing documents providing that the Port Authority receive credit against its cost share for the work funded by the Port prior to authorization and execution of the PCA.

The Port Authority has just undertaken a detailed, coordinated Disposal Area Management Program (DAMP) for the four Confined Disposal Facilities (CDFs) affected by this project; these are LERRD costs. This program is essential to ensure the required disposal capacity for the project is available at the initiation of project construction. More critically, this program will result in substantial cost reductions to the Federal Government, the local sponsor and the "local service facilities" who all use these CDFs. These cost reductions are realized both during construction and in subsequent project maintenance. As reflected in the documents supporting the Chief's Report, the District concurs this work is essential. Under current Federal regulations, the local sponsor cannot receive LERRD credit for work done prior to authorization and execution of the PCA. Specific language will need to be included in the WRDA authorizing documents providing that the Port Authority receive credit against LERRD's for the DAMP work currently underway. This is a project in which the local sponsors, and particularly the Port of Houston Authority, have been intensively involved.

Favorable consideration by Congress of the preceding two requests is not shifting costs from one party to another-they are requests that address the Local Sponsor's effort, expertise and concern to further increase this project's cost effectiveness. The work done and funded by the Port Authority resulted in a decrease in the cost of the project.

While this project, as conceived and recommended, does not require the acquisition and construction of new CDFs. The Port Authority wishes to express strong support for the cost-sharing proposal put forth for inclusion in this WRDA by the American Association of Port Authorities (AAPA). This will insure a more equitable cost sharing approach to navigation projects generally.

This project has been studied for over 30 years. It has not only addressed environmental concerns, but has gone several steps further in achieving a plan than will produce a net positive environmental effect on Galveston Bay. It has been determined by the Corps of Engineers to have a greater than 2 to 1 benefit to cost ratio. It has the support of its community as evidenced by the 2 to 1 vote on the local share of the funding. The disposal plan has been approved by all of the state and federal agencies who worked on the project. It has widespread bi-partisan support and the support of Texas Governor George Bush. This project proves that port development and environmental concerns are not mutually exclusive. The time has come for action. Continuation of the funding for pre-construction, engineering and design on this project is essential.

FY '97 APPROPRIATION FOR DREDGING BAYPORT

It is our understanding the Corps' FY '97 budget will include funding for dredging of the Bayport flare. Shoaling has significantly threatened the proper depth of the Bayport channel. An estimated 1.62 million yards of dredged material is expected to be dredged and placed in areas 14 and 15 (semi-confined sites) to maintain federal project depth of 40' in this stretch of the Houston Ship Channel. The Port of Houston Authority, the Houston Pilots, and the users of the Bayport Channel recognize the need to maintain a depth of at least 40 feet for navigational safety. We cannot afford to delay this maintenance dredging.

HOUSTON SHIP CHANNEL - OPERATIONS & MAINTENANCE

It is our understanding that the Corps' FY '97 budget will also include funding for the dredging of Redfish Reef to Morgan's Point at an estimated quantity of 3.2 million cubic yards to maintain the federal project depth of 40' along with associated levee and dewatering of disposal sites. As we stated earlier, maintaining a project depth of 40' is essential to the safety of the vessels that navigate the Houston Ship Channel as well as the pilots whose responsibility it is to safely deliver them to the docks. Dewatering of dredged disposal sites allows the disposal sites to provide maximum capacity. In addition, plans include shore protection for Peggy Lake and Alexander Island disposal areas. Environmental concerns confirm the validity of these projects.

CONCLUSION

We greatly appreciate your past support and urge you to include the funds requested by the Corps in FY '96 Corps appropriations to fully support the projects for the Houston Ship Channel. These maintenance projects and particularly the funding for the Houston Ship Channel widening and deepening project are vital to the Port of Houston's continued ability to move the Nation's commerce in a safe, efficient, and economical manner. We thank you for consideration of these requests.

Mr. FRELINGHUYSEN. Mr. Bevill.

Mr. BEVILL. Mr. Chairman, I want to commend Mr. Gillette. I have watched him over the years here. He always makes a great presentation.

Mr. GILLETTE. Well, I don't know.

Mr. BEVILL. He convinces us in a short time of what his needs are and he is doing a great job down there. I know the people of Houston appreciate him, and Gene and Jack especially, and we are delighted to have you two with us also.

Mr. GILLETTE. Thank you.

I guess I will be forced to say if you and the Chairman quit this job, I may quit my job.

Mr. FRELINGHUYSEN. My goodness.

Mr. BEVILL. I hope you don't do that.

Mr. FRELINGHUYSEN. Congressman Fields.

WEDNESDAY, MARCH 6, 1996.

PORT OF HOUSTON

WITNESS

HON. JACK FIELDS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Mr. FIELDS. Quickly, Mr. Chairman, because I know your time is limited today.

First of all, listening to Mr. Bevill, I think I have been before you 16 years and have always——

Mr. BEVILL. You are a fairly newcomer.

Mr. FIELDS. I have always found you very accommodating and we appreciate the support the port has received.

Just to amplify on a few things that Mr. Gillette mentioned. The Port of Houston has a broad reach. A lot of our export earnings comes from the Port of Houston. A tremendous number of petrochemical products, a lot of grain from all over the country comes through the port.

There has been a lot of discussion in the national media about NAFTA. We are the largest seaport for Mexico. Goods coming into the Port of Houston create American jobs, and American jobs in taking those products into another country. So the Houston ship channel has a very broad reach.

I had the privilege of representing it for 12 years, and now my colleague has the pleasure of representing most of it. And I know he would join me in saying that it is a port that works and creates jobs and is good not just for Houston and Texas, but is good for the country.

Mr. Chairman, I want to thank you for your time and your attention.

Mr. FRELINGHUYSEN. Thank you.

WEDNESDAY, MARCH 6, 1996.

PORT OF HOUSTON

WITNESS

HON. GENE GREEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Mr. FRELINGHUYSEN. Mr. Green.

Mr. GREEN. Thank you, Mr. Chairman, and my colleague. I was in the State Senate for many years and represented the port, now in Congress.

The Port of Houston is 50 miles from the Gulf. We have a long-term project for the deepening and widening, and that is the appropriations being asked for today.

And again, you can see we have bipartisan support for it. And it is a great job creator in our districts and all of Houston, but it also helps us on our export market.

I would just encourage the committee to continue the support you have done for many years under not only Chairman Bevill but Chairman Myers, and appreciate the help for our port.

Mr. BEVILL. Gene and Jack, you both do a great job. You always make a great presentation and you are great to work with.

Mr. GREEN. Thank you.

Mr. GILLETTE. And they are great friends, too.

Mr. FRELINGHUYSEN. Thank you, gentlemen, for being with us.

WEDNESDAY, MARCH 6, 1996.

SAW MILL RUN FLOOD CONTROL PROJECT

WITNESS

HON. WILLIAM J. COYNE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA

Mr. FRELINGHUYSEN. Congressman Bill Coyne from Pennsylvania.

Congressman, thank you for being here. A copy of your testimony will be included in its entirety in the record, and if you could proceed for 5 minutes. Thank you.

Mr. COYNE. Well, thank you very much, Mr. Chairman, for the opportunity to be here today.

And Mr. Bevill it is great to be able to appear before you once again on a project that I would like the subcommittee to include funding for in the fiscal year 1997 Energy and Water Appropriations Budget.

It is for the Saw Mill Run Flood Control Project in Pittsburgh, Pennsylvania. As you know, the Commonwealth of Pennsylvania experienced widespread flooding in January. We are still heavily engaged in the process of recovery as so many other communities are.

Debris is being removed as we speak, and millions of dollars of public and private property must be repaired or replaced. Let me say that the assistance provided by the Federal Government in the wake of this disaster was both much needed and very greatly appreciated.

I believe that the Federal Government has an important role to play in responding to natural disasters and in addressing the Nation's pressing infrastructure needs. Consequently, I supported the subcommittee's efforts last year to reject the administration proposal to change Federal policy with regard to flood projects and flood control projects. I was very pleased the bill signed into law last fall directed the Army Corps of Engineers to continue to undertake flood control projects.

I would like to speak to you today about a flood control project that is very important to the district that I represent. Saw Mill Run is a waterway in Allegheny County that empties into the Ohio River. Over the years, there have been numerous incidents of serious flooding along this Saw Mill Run. Homes have been flooded and traffic patterns have been disrupted. Fortunately, no one has ever been killed to date, but action is clearly needed to eliminate this hazard.

The Water Resources Development Act of 1986 authorized a flood control project along Saw Mill Run. And the Appropriations Committee provided $500,000 several years ago for a Corps of Engineers study of the flooding along Saw Mill Run, and now the Corps is ready to begin work on the project itself.

I have worked closely with local officials, particularly Pittsburgh's Mayor Tom Murphy, to address the flooding along Saw Mill Run. I can say without question that the Saw Mill Run Flood Control Project is a top priority of the City and that the city is committed to providing its share of the cost of the project.

For fiscal year 1997, the Corps would need funding to complete project plans and specifications, and to work with local officials as they acquire the necessary real estate, rights-of-way and easements for the project. I believe that the Corps will be able to provide detail failed figures on the necessary funding for fiscal year 1997 once the administration's budget request is submitted to Congress on March 18.

Mr. Chairman, as you know, responding to natural disasters like flooding is a responsibility that the Federal Government has undertaken many times with great success. Similarly, the Federal Government has made major contributions to the health and safety of many of our communities through public works like the flood control projects built by the Corps of Engineers.

I ask the subcommittee today for help for the people of Pittsburgh and Allegheny County in addressing the serious flooding problem. Please include funding for the Saw Mill Run Flood Control Project in the fiscal year 1997 Energy and Water Appropriations Bill.

Thank you very much.

Mr. FRELINGHUYSEN. Thank you very much for your testimony, Mr. Coyne.

Thank you for being with us.

Mr. COYNE. Thank you.

Mr. BEVILL. Very good, thank you.

WEDNESDAY, MARCH 6, 1996.

BEAVER RIVER, TURTLE CREEK, AND CONNOQUENESSING CREEK PROJECTS

WITNESS

HON. RON KLINK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA

Mr. FRELINGHUYSEN. The Chair is pleased to recognize Congressman Ron Klink, also from Pennsylvania.

Thank you for your patience. I know you came in here earlier than others. I don't know what the pecking order was before, but we are pleased to hear from you now.

Mr. KLINK. No problem, I am happy to be here. And thank you for your patience in listening to what I have to say. This is a Pennsylvania-kind-of-afternoon, I guess.

I will ask my statement be submitted for the record, and I will try to shorten it for you so that it will make your afternoon a little more pleasant.

Mr. FRELINGHUYSEN. It will be included in toto.

Mr. KLINK. We in the Pittsburgh area have seen a tremendous amount of opportunity over the years because we are the city of three rivers and many of those districts flow through my district, which are contiguous to Congressman Coyne's district.

When the steel industry went down, we looked for economic development along these rivers. And when people are looking at making an investment along the river, the kind of flooding that we had in January, which caused almost a billion dollars worth of damage across this State and caused a tremendous amount of loss of life, those private people are not going to make those kind of investments. And the communities that lost these steel mills and lost these industries do not have the dollars to go in and do these kind of massive dredging jobs that are needed. That is why we find ourselves in the position that we are.

I wanted to talk to you about three studies, and we have talked to the Corps, we have toured these sites with the Corps of Engineers. The first request I am making is a reconnaissance study for the main channel of the Beaver River and its tributary near the Boroughs of New Brighton, Rochester and Bridgewater. The Beaver River comes down into the Ohio and it is a recreational river. You also have restaurants and yacht clubs in the Pittsburgh area.

In Pittsburgh and Beaver County you probably have, if not the most amount of licensed boaters anywhere in the country, you have the second amount. We are either first or second. And people are amazed to find that out because we have so many rivers and people do use them.

The purpose of the study is to develop a coordinated program of dredging and retention pond construction to correct the sedimentation problem that really promotes this flooding. We saw businesses that had 6, 7 feet of water in them. Roadways were carried away. I saw buildings that were swept off their foundations and carried away.

In talking to the Corps and talking to the hydrologists, this flooding either would not have occurred at all or it would have been minuscule if this dredging had been done before. So they have to take a look—study it see the best way to do it, and we can solve this problem and we can get independent expenditures to go in there. The Corps has estimated the reconnaissance study would cost $500,000.

Secondly, just to the north in the same county, we really need—the same flooding showed a need for remedial work done along the Connoquenessing Creek near the Townships of Franklin and North Sewickley and Marion. These communities flood frequently.

These people are flooded several times a year. And we now have a situation where bridge abutments and highways are threatened. The actual stream itself has moved over, and the residential and personal property losses in these three communities just during the January flooding was almost a million and a half dollars. Certainly remediation is much preferred to having this kind of damage on a continual amount of time.

The Corps of Engineers outlined a study and project approach to a very long-standing problem that is repeated many times a year. It is anticipated that along the Connoquenessing Creek we need two studies done, and we would need $100,000 at each location, for a total of $200,000, and we think we could solve this problem.

Finally, I am requesting the subcommittee also approve a reconnaissance study for Turtle Creek Watershed near Export, Pennsylvania. The problem we have here is repeated flooding and a problem that Export was an old coal mine town with a deep mine. So every time they get too much water, the acid from the mine comes off, and we are not even sure where it is coming from.

The Turtle Creek, and I know that both of you gentlemen are concerned about the environment, I will tell you that Turtle Creek is particularly important because if it is not again the top trout stream in the State of Pennsylvania, it is one of the top five. It is a tremendous trout stream and they have been unable to fish it or to stock it because every time we get a rain or a runoff, this acid mine comes out, comes into the creek and the Borough of Export floods. These people's businesses and homes are flooding four, five, six times a year. It was exacerbated by the flooding this January.

The estimated cost of this study, because we are dealing with trying to mitigate where this water is coming from and also find out where the acid mine water is coming in, this study is going to be $500,000. I wish that you would give this serious consideration. These are serious matters in my district and the people of Pennsylvania will be appreciative.

Mr. BEVILL. Mr. Chairman.

Mr. FRELINGHUYSEN. Mr. Bevill.

Mr. BEVILL. Ron, I can relate to that so easily because I have the same problem. We are fighting that same battle. The acid water comes out of the coal mines into the rivers.

Mr. KLINK. I know you have that in your State, also. I appreciate that.

Mr. FRELINGHUYSEN. Thank you for your testimony. It has been an education.

Thank you.

Mr. KLINK. Thank you.

[The statement of Mr. Klink follows:]

Project Summary

Fourth Congressional District of Pennsylvania

Beaver River/Study -- The purpose of this reconnaissance study is to formulate corrective solutions to the build-up of sedimentation in the main channel of the Beaver River near the Boroughs of New Brighton, Rochester and Bridgewater. The reconnaissance study will also focus on the New Brighton Public Boat Launch and the following tributaries: Blockhouse Run in New Brighton; Brady's Run in Bridgewater; McKinley Run in Rochester; and Hamilton Run in Bridgewater. It is anticipated that the study will produce a coordinated program of dredging and retention pond construction to correct the existing problem. The estimated cost of the study is $500,000 (100 percent federal).

Connoquenessing Creek/Study -- The purpose of this reconnaissance study is to formulate remedial solutions to recurring flooding in the Townships of Franklin and North Sewickley area as well as in the Townships of Franklin and Marion area (near Fombell). This review comes under the U.S. Army Corps of Engineers' 205 program. It is anticipated that the study would produce a plan to construct an earthen levee in the Franklin/Sewickley area and result in the removal of sediment from the creek in the Franklin/Marion area. The estimated cost for the study is $100,000 per site or a combined amount of $200,000 (100 percent federal).

Turtle Creek Watershed/Study -- The purpose of this reconnaissance study is to identify and to prioritize corrective actions concerning acid mine drainage in the Turtle Creek Watershed near the Borough of Export. Currently, acid mine drainage has adversely affected the creek's animal and plant life. It is anticipated the study would locate all acid drainage sites and prioritize methods to restore the creek's ecosystem by wetlands restoration and other means. The estimated cost for the study is $500,000 (100 percent federal).

Testimony
Congressman Ron Klink
before
Subcommittee on Energy and Water Development
March 6, 1996

Good Afternoon. Chairman (John) Myers, Ranking Member (Tom) Bevill and other members of the Subcommittee on Energy and Water Development ... it's a pleasure to be here. I share your keen interest in forging ahead with the U.S. Department of Energy and Water Development Appropriations Bill for Fiscal Year 1997.

In particular, I want to call the subcommittee's attention to three projects in the Fourth Congressional District of Pennsylvania. As many of you know, this area in Western Pennsylvania was once dominated by the steel industry. Now most of the steel jobs have gone overseas driving many former steelworkers into retraining or into lower-paying, service-oriented positions.

The absence of steel has forced our region to rethink its identity and to redirect our priorities. Health care, small businesses, financial services, energy-related firms and other industries -- bundle the economy together so its not so dependent on any one sector. Despite some job growth, my region continues to be dependent on its rivers for economic development, transportation and recreation purposes. These rivers can be a mixed blessing. They can provide a boon for recreation and transportation. But Mother Nature periodically exacts her own tribute.

Record flooding in January throughout Western Pennsylvania and statewide mobilized disaster relief by the federal, state and local governments. President Clinton declared all 67 of state's counties as disaster areas. Federal emergency loans and grants have helped put the state back on its feet after an estimated $700 million worth of damages.

This flooding has highlighted the need for two of the three project requests which I bring before your subcommittee. All three of the projects need long-term solutions.

First, I am requesting a reconnaissance study for the main channel of the Beaver River and its tributaries near the Boroughs of New Brighton, Rochester and Bridgewater.

The purpose of this study is to develop a coordinated program of dredging and retention pond construction to correct a sedimentation problem that promotes flooding and discourages waterfront development and recreation. I have been been working with the Boroughs involved, the Beaver County Corporation for Economic Development and the U.S. Army Corps of Engineers to solve this problem. The Corps of Engineers has estimated the reconnaissance study would cost $500,000.

Second, the January flooding demonstrated the need for remedial work along the Connoquenessing Creek area in the Townships of Franklin, North Sewickley and Marion. News accounts have indicated that flood waters from the Connoquesnessing have overrun these communities no less than 10 times in the last two decades. Residential and personal property losses in these three communities totalled more than $1.4 million after the most recent flooding.

The Corps of Engineers has outlined a study and project approach to resolve this long-standing problem. Two reconnaissance studies are proposed in the Franklin/Sewickley area and in the Franklin/Marion area. It is anticipated that each study would cost $100,000 for a total cost of $200,000. These studies will formalize plans for the construction of an earthen levee in the Franklin/North Sewickley area and assist in planning for the removal of sediment from the creek in the Franklin/Marion area. These measures will help eradicate flooding that have plagued these communities for years.

Finally, I am requesting the subcommittee's approval of a reconnaissance study for the Turtle Creek Watershed near the Borough of Export. Acid mine drainage -- an unwanted by-product of several abandoned coal mines -- has damaged the plant and wildlife in this watershed. The Turtle Creek Watershed Association and others have identified the need to inventory these mine drainage sites. The purpose of the study would be to prioritize methods to restore the creek's ecosystem through wetlands restoration and other means. The estimated cost of this study is $500,000.

Chairman Myers, thank you for the opportunity to testify before the subcommittee. I would be delighted to answer any of your questions about these projects.

WEDNESDAY, MARCH 6, 1996.

RIVER BASIN COMMISSIONS

WITNESSES

KENNETH J. COLE, UNITED STATES COMMISSIONER, SUSQUEHANNA RIVER BASIN COMMISSION

PAUL O. SWARTZ, EXECUTIVE DIRECTOR, SUSQUEHANNA RIVER BASIN COMMISSION

KEITH R. GENTZLER, CHAIRMAN, INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

VINCENT P. D'ANNA, UNITED STATES COMMISSIONER, DELAWARE RIVER COMMISSION

JERRY HANSLER, EXECUTIVE DIRECTOR, DELAWARE RIVER BASIN COMMISSION

Mr. FRELINGHUYSEN. We have representatives this afternoon—shall we call them all up at once.

Representatives of the Susquehanna River Basin Commission.

Do we have some representatives here?

And Delaware River Basin Commission and the Interstate Commission on the Potomac River Basin.

And, gentlemen, if you would be kind enough to introduce yourselves.

Yes, you appear to be first.

A copy of everybody's remarks will be made part of the overall public record.

And if we could try to stay within some decent time limits.

Yes. First.

Mr. COLE. I am Kenneth Cole, the United States Commissioner of Susquehanna River Basin Commission.

Mr. FRELINGHUYSEN. Mr. Cole, thank you for being with us.

Mr. COLE. Thank you, Mr. Chairman, Congressman Bevill. Thank you for the opportunity to appear before you in support of fiscal year 1997 appropriations for the River Basin Commissions, which is the Delaware, the Potomac and the Susquehanna.

I want to publicly first thank Congressman Tim Holden and Congressman George Gekas for testifying before this committee on our behalf.

I am Kenneth Cole, United States Commissioner for the Susquehanna River Basin Commission. With me today is Mr. Paul Swartz, Executive Director of the Susquehanna River Basin Commission, and also members of the other two commissions who will introduce themselves.

This request is both for continued Federal financial support of the programs of the Commission, as well as funding for my office. Detailed formal statements are being submitted for the record. They address in detail the reasons we believe continued Federal participation in the Federal River Basin is fully warranted.

As you know, the President's budget will not be officially released until later this month. We do, however, ask for Federal funding for each of the three Eastern River Basin Commissions as provided in the President's budget. We shall submit the normal congressional budget justification statements and schedules reflecting the specifics of our budget request as soon as possible after release of the President's budget.

We understand the need to streamline government. In fact, the very reason for the creation of the River Basin Commissions was to streamline management of areas involving interstate and multiple Federal agency interests.

All three River Basin Commissions before you today are barebones agencies, tiny, in fact, and the Federal Government is an important member of each. Both the continued participation and financial support of the Federal Government in these commissions is critically important.

I will be straightforward in addressing certain assumptions about the roles and responsibilities of the Federal Government in the three commissions. The assumption that the States benefit more from the work of the commissions than the Federal Government is not valid. Neither is the assumption valid that the States can pay both their share and the Federal Government share of financial responsibility for the commissions.

Testimony, both Mr. Schwartz and I have provided for the record, details many ways in which the collective work of the three commissions benefits the Nation. It also explains why our member States, with growing difficulty in balancing their own budgets, view the notion of taking on the Federal Government's responsibilities for the commissions as one more unfunded mandate.

The commissions provide significant environmental benefits to the Nation. Both the Susquehanna and Potomac Commissions play important roles in the restoration and protection of the Chesapeake Bay, a national treasure. Once the Susquehanna, Potomac and Delaware Rivers were virtually cesspools of human waste and pollutants from various industries. Now they are national models of what can be done to restore a river.

The commissions also provide significant economic benefits to the Federal Government. First, they save the Federal Government money, which is very unusual. For instance, although the flooding which occurred in January of this year was devastating in all three of our basins, it could have been even worse in terms of loss of life and property. Had it not been for the flood forecast and warning program in the Susquehanna River Basin, developed and coordinated by the Susquehanna River Basin Commission, the cost to the Federal Government would have been much more in disaster relief payments.

This program provided significant advanced warning to allow evacuation in communities throughout our basin. It also saves the Federal Government on average each year an estimated $17 million in disaster payments.

Second, the River Basin Commissions help to balance the Federal budget. In the case of the Susquehanna Commission, for example, from one water management project alone, the Federal Government receives a windfall of more than $3 million each year for a period of 50 years. At the same time, the amount we have requested for fiscal year 1997 to support both our program and my office is less than one-fourth of that amount.

Through similar partnership efforts between the commissions and the Federal Government, that excellent return on investment can become even better for the Federal Government. But that is only possible if we continue to exist and our ability to now lies in your hands.

Of course, we would be pleased to answer any concerns you have. Paul Swartz and I are here to address questions regarding the Susquehanna River Basin Commission. We would appreciate the opportunity to provide written response for the record covering any concerns which remain after today's hearing and request that the hearing record be held open for the receipt of additional statements.

In addition, we are aware that there are many interests in our three basins, including local communities, business and environmental concerns, who are prepared to either testify or offer written statements in support of our Commission and the retention of Federal participation in it.

Mr. FRELINGHUYSEN. Thank you, Mr. Cole, Mr. Swartz.

[The statements of Mr. Cole and Mr. Swartz follow:]

STATEMENT OF KENNETH J. COLE, UNITED STATES COMMISSIONER SUSQUEHANNA RIVER BASIN COMMISSION, IN SUPPORT OF FISCAL YEAR 1997 APPROPRIATIONS FOR SALARIES AND EXPENSES AND THE FEDERAL CONTRIBUTION BEFORE THE HOUSE SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT, COMMITTEE ON APPROPRIATIONS, MARCH 6, 1996

Mr. Chairman and Members of the Committee: I am Kenneth J. Cole, United States Commissioner for the Susquehanna River Basin Commission. It is a pleasure to appear before you. I do this in a dual capacity, in support of an appropriation for salaries and expenses for the Office of the United States Commissioner and also for the Federal Contribution to the Susquehanna River Basin Commission. The Commission is small in size but the policy issues are the same as those that affect larger agencies. Continued participation and financial support of the Federal government for the Commission is critically important to its existence.

The Administration has given its support to the Commission for FY 1997 and beyond. We will be requesting $722,000 for FY 1997. Once the details of the President's FY 1997 budget have been presented to the Congress, we will submit detailed justification statements for the Commission.

We ask that the subcommittee reconsider the policy guidance contained in the FY 1996 conference report on future direct funding for the three river basin commissions including retention of the Federal Commissioner's office. We and the Administration, and most members of the congressional delegation from the cognizant states believe that the river basin commissions provide key leadership in these areas: (1) flood plain management, (2) watershed management and (3) smaller more efficient government. With a small amount of up front funding, the Commission has put into place projects, programs and policies that have created big returns.

The Susquehanna River Basin Commission (SRBC) is a Federal-interstate compact agency whose membership includes New York, Pennsylvania, Maryland and the United States. Congress not only provided its consent to this compact, Public Law 91-575, but made the United States a full fledged voting member. A member and an alternate member appointed by the President exercises this voting power on an equal footing with the member states. Thus, there was a commitment made by all of the signatory parties to jointly exercise their sovereign powers to manage the water resources of the Susquehanna Basin under comprehensive, multi-purpose planning principles. This unique partnership among the Commission's state members and the Federal government to manage this interstate river system exemplifies the so-called new federalism at its best.

Under the Susquehanna River Basin Compact, the jurisdiction of the SRBC extends across state lines to bring a comprehensive watershed management approach to the entire 27,500 square mile river basin. The Compact focuses particular attention on interstate matters. For example, the Commission must approve all projects on or crossing the boundary between any two signatory states or a project in one state having a significant effect on the water resources of another state.

To arbitrate or avoid conflicts between the signatory states, Section 3.8 of the compact gives the Commission the authority to "allocate the waters of the basin to and among the signatory states and impose related conditions, obligations and release requirements." This is a function that the U. S. Supreme Court would have to carry out without the existence of the Commission. Thus, the Commission serves as a mechanism for the settlement of interstate disputes and a promoter of interstate "comity" or harmony as stated in the "purposes" section of the compact. Avoiding disputes has saved the Federal government potentially expensive court and arbitration costs, and increased the efficiency of resource allocation.

Unfortunately, a perception has developed among some, spawned mainly by a report issued last year by the Heritage Foundation, that Federal participation in the Commissions is not appropriate because, as the report alleges, most of the benefits flow to the state members and most of the issues are state and local in scope. The report also suggests that the state members of the Commission can assume 100% financing of the Commission. This hasty and erroneous conclusion was drawn without even the most cursory investigation of the powers, duties and accomplishments of the river basin commissions. When those powers, duties and accomplishments are duly examined, it becomes clear that substantial benefits do flow to the Federal government and to the nation, and that the nature of the powers exercised by the Commission make federal participation appropriate.

The assumption that the states benefit more from the work of the Commission than the Federal government is not valid. Nor is the assumption that the states can pay both their share and the Federal government's share of financial responsibility for the Commission. Our member states face growing difficulty in balancing their own budgets and regard this notion of taking on the Federal government's responsibility for the Commission as one more unfunded mandate.

While a return of power to the states is important in interstate river management, the important role of the Federal government in a partnership capacity with the states should not be discounted. It takes full participation and commitment of all four partners to make this interstate management mechanism perform at its best.

There are many ways in which the collective work of the Commission benefits the nation. The Commission, along with my office, works very closely with Federal agencies like the Corps of Engineers, the U.S. Geological Survey, the National Weather Service, the Environmental Protection Agency and others as appropriate, to manage the basin's water resources. The Commission is the non-Federal sponsor of a water storage project at the Federally-owned Cowanesque Flood Control Reservoir in Pennsylvania. Water storage has been purchased by the Commission for release during periods of low flow. The Commission is paying back a portion of the original construction costs of the project to the U.S. Government at the rate of about $3 million per year over 50 years. This money would not be returned to the Treasury without the Commission's storage project. Currently the Commission is paying the government $8.33 for every dollar of federal funding it receives.

If the Commission is weakened by the current fiscal crisis and loses its financial viability, the continued payment of this obligation will be seriously jeopardized. Current law prohibits the utilities from contracting directly with the Federal government for water storage and the purpose of the project is to comply with Commission regulations. Thus, if there is no Commission, there is no project. We hope to bring another project on line in the near future that would also return monies to the Treasury.

Also benefiting from the Cowanesque storage project is every water user on the river between the project and the Chesapeake Bay--insured maintenance of stream biota; recreational users including boaters and fishermen; electric hydropower projects; municipalities and some agricultural users. Also, the receiving waters of the Bay rely on the Susquehanna for 50% of fresh water inflows. The Bay is an undisputed national treasure which makes enormous contributions to the nation's environmental, scenic, recreational and economic well-being.

In cooperation with the National Weather Service and the USGS, and supported by local emergency management personnel from all over the Basin, the Commission initiated a flood forecast and warning system for the Basin. The Susquehanna is one of the nation's most flood prone river basins with average annual damages of $113 million. In the most recent flooding of January 1996, there are estimates of as much as $1 billion in property losses. One of the reasons for the high average damage figures is the characteristically rapid development of floods as rains and snow melt run off mountainous terrain, the dominant land form in the Basin.

As devastating as the flooding was in the Basin, it could have been even worse in terms of loss of life and property--and would have cost the Federal government much more in disaster relief payments--had it not been for our flood forecast and warning program. On average, an estimated $17 million in annual flood damages is averted because of this program.

Through the intervention of the Commission and other state and Federal natural resource agencies in Federal Energy Regulatory Commission relicensing proceedings, runs of American shad are being restored to the Susquehanna River. In the spring of 1995 a record 60,000 were trapped at Conowingo Dam and transported upstream. Soon, fish passage facilities at all four lower Susquehanna River hydro dams will open the entire river to migrating shad, which once migrated in huge numbers as far north as Binghamton, New York. The recreational and economic impacts of this restoration are bound to be substantial.

The United States Commissioner represented the interests of the Federal government and the national interest in water resources development on the Commission. I have worked with the Corps of Engineers, NOAA, EPA, USGS and the Fish and Wildlife Service on such matters as flood control, flood warning, water supply, Chesapeake Bay and migratory fish restoration.

While these federal agencies provide good cooperation with the Commission, in the final analysis, it is the United States Commissioner who speaks for the Federal government on the Commission. It is my direct participation and vote that allows the Commission to carry on its everyday business. It is not clear how the Commission will be able to carry out its important business like adopting budgets and making drought declarations if a participating Federal member is not present to vote on these matters as required by the compact. The terms of the compact do not allow for representation of the Federal government by a consortium of cooperating federal agencies.

Mr. Chairman, we hope that you will give careful consideration to all of the above and come to the conclusion that the river basin commissions are essential and should continue to receive federal funding.

SUSQUEHANNA RIVER BASIN COMMISSION
1721 North Front Street • Harrisburg, Pennsylvania 17102-2391
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TESTIMONY OF THE SUSQUEHANNA RIVER BASIN COMMISSION IN SUPPORT OF ITS FY 1997 BUDGETARY REQUEST TO THE FEDERAL GOVERNMENT

TO THE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

March 6, 1996

Submitted by:
Paul O. Swartz
Executive Director

Thank you Chairman Myers and Members of the Subcommittee for this opportunity to present written testimony in support of the federal government's FY 1997 contribution to the Susquehanna River Basin Commission (Commission) and appropriation of funds for the salary and expenses of our U.S. Commissioner, Mr. Kenneth Cole.

The Commission was very pleased to learn that the Administration will be proposing federal funding for the three eastern river basin commissions in FY 1997. We now seek Congressional support for this action. Specifically, we request your support of an appropriation in the amount of $380,000 as the federal government's share of financial support for our programs as well as an appropriation adequate for our United States Commissioner.

Last year, a joint conference report of this subcommittee and the one from the Senate indicated that FY 1996 would be the final year of federal funding for three eastern river basin commissions. The reasoning for this decision appears to be based on an assumption that the benefits of the Commission are derived by mainly the Commission's member states and therefore those states ought to pay for the Commission's operations with no federal contribution. A cursory review of the programs, powers and duties of our Commission proves that this conclusion is plainly in error.

The Commission is empowered by the Compact to acquire projects for storage and release of water. The Commission's acquisition of storage in the federally-owned Cowanesque Reservoir in Tioga County, Pennsylvania results in an annual payment to the U.S. Treasury exceeding $3 million. This is not the repayment of a loan or the repayment for a benefit bestowed on the Commission by the government. It is the payment of a reallocated portion of the original construction cost of the project which the government would not be receiving **but for** the Commission's storage project. In this sense, it is a total windfall for the government.

The termination of federal funding for the Commission threatens its viability and its very existence. If the Commission is so weakened by the current fiscal crisis that it loses its financial viability, the continued annual payment to the federal Treasury for this obligation will be seriously jeopardized. Furthermore, future opportunities for similar cooperation with the government at other federally-owned projects will also be lost.

It is simply inconceivable that the federal government would eliminate one of the few programs that actually returns far more dollars annually to the U.S. Treasury than it receives. The potential loss of $3 million annually (for a period of fifty years) from the Cowanesque project is certainly counter-productive to the government's efforts to balance the federal budget and is therefore fiscally unsound.

It has been suggested that the state members of the Susquehanna Compact can fill in the financial gap left by the termination of federal funding. That conclusion is not supported by the facts. Many states are facing fiscal deficits of unprecedented proportions. Passing additional responsibilities to the states for the operation of interstate river management agencies without accompanying financial support simply imposes another unfunded federal mandate on those states.

The Commission's member states - New York, Pennsylvania and Maryland - are among a growing list of financially-strapped states. The State of Maryland currently has a $59 million deficit, which could rise to as much as $117 million by fiscal 1997, if current projections hold. New York is fighting a multi-billion dollar deficit and therefore can appropriate only a portion of the state's share to the Commission. Finally, the economic outlook for the Commonwealth of Pennsylvania is equally bleak; Governor Tom Ridge submitted a proposed FY 1997 budget that calls for $30 million less spending than the previous fiscal year.

The Commission's water management programs and regulations contribute to protection of the environment. For example, the Commission is the only agency that manages consumptive use of water in the basin. Without augmentation of flows provided as the result of the Commission's exercise of its water management responsibilities, consumptive use during periods of low flow is very harmful to downstream water users and to the Chesapeake Bay, which receives one-half of its freshwater inflow from the Susquehanna River. The health of the Susquehanna River has a direct correlation with the health of the Bay, which is an undisputed national treasure that makes enormous contributions to the nation's environmental, scenic, recreational and economic well being.

Ending 25 years of support for the SRBC would be a renunciation of the federal government's long time commitment to the environment. This is a commitment which has been recognized by all of our Presidents from Richard Nixon to Bill Clinton and a commitment which has been recently reaffirmed in this Congress by Speaker Gingrich.

The Susquehanna is one of the nation's most flood prone river basins, with average annual damages of $113 million. In the recent flooding of January 1996, there are estimates of as much as $1 billion in property losses and 15 lives in the Susquehanna basin alone. As bad as this flood was, things could have been worse if several important SRBC non-structural flood programs had not been in place.

These programs include:

- The Susquehanna River Basin Flood Forecasting and Warning System initiated by the Commission, with an estimated benefit-to-cost ratio of 13-to-1 and an estimated annual damage savings of $17 million;
- Community flood plain and flood stage forecast mapping proposed by the Commission used for flood insurance eligibility, planning and emergency management; and
- Technical assistance provided by the Commission to local communities for the establishment of watershed-based flash flood warning systems.

Experience shows that it is far less expensive to invest in such non-structural measures prior to a flood than to pay out federal disaster assistance after a flood. This was the conclusion of the Galloway Report, which recommends greater use of non-structural flood damage reduction measures after the experiences of the devastating 1993 mid-West floods.

Like the federal government, the authority of the Susquehanna River Basin Commission extends across state lines to bring a comprehensive watershed management approach to the entire 27,500 square mile Susquehanna River Basin. Almost every project or program run by the Commission has interstate impacts. Whether it is advocating the maintenance of a basinwide flood warning system, operating a project for storage and release of water at the Cowanesque Reservoir, monitoring water quality, or restoring migratory fish to the river system, the benefits of each of these activities are not confined to a single jurisdiction. The benefits also flow to the nation as a whole, including a healthier, more productive Chesapeake Bay, a restored interstate shad fishery, and a reduction in taxpayer financed federal disaster assistance.

Under the Susquehanna River Basin Compact, the Commission also acts as a non-judicial forum for the settlement of interstate disputes and as a promoter of interstate "comity," or harmony. Certainly, the promotion of harmony among the several states which form the union serves a national purpose and is one of reasons why this federal government was formed.

Even with so much of the Commission's work focused on interstate matters and with so many contributions to the national welfare, we are not asking the Congress to be the sole supporter of the Commission. Three states have joined with the federal government to manage the basin's water resources and to share in the funding of the Commission. It is a partnership that exemplifies the so-called "new federalism" at its best, i.e. a return of more authority and discretion to the states and a more efficient sharing of power between the states and the federal government.

This year marks the twenty-fifth year of the Susquehanna River Basin Commission. During the past quarter century, this Commission has provided many benefits and services to the 3.8 million residents of the basin -- as well as the communities they live in and the businesses they work in. The desision made by this Subcommittee (House Appropriations Subcommittee on Energy and Water Development) in considering our request for continued funding in FY 97 is critical to our future. It may well make the decision which determines whether or not the Commission will continue to exist.

Without the Commission, conflicts among water users will inevitably develop, including conflicts among states such as those which led to the formation of the Delaware River Basin Commission 35 years ago. Those conflicts will have to be resolved in the courts at great cost and considerable delay. Without the Commission, the coordination among federal and state agencies which operate in the Susquehanna River basin will no longer exist, resulting in more cost to government and duplication of effort among governmental agencies.

The Commission and the Commission alone manages consumptive water use in the Susquehanna River basin. Without the Commission, water will no longer be provided during times of low flow (such as we experienced just last year) to compensate for large consumptive water uses such as evaporative losses from cooling towers at electric generating facilities in the basin. As a result, there will be less water available for the competing needs of public water suppliers, industries, power generation, recreation and the needs of fish and other acquatic resources, including those of the Chesapeake Bay. Without the Commission, the federal government will lose sources of revenue which are possible only because of the Commission's unique authority.

In summary, we sincerely believe that termination of funding for our Commission by the federal government would be "penny-wise and pound foolish."

Thank you again, Mr. Chairman, and members of the panel for this opportunity to present this written testimony.

INFORMATION SHEET

Susquehanna River Basin Commission
1721 North Front Street • Harrisburg, PA 17102 • 717-238-0423

STORING WATER FOR LOW FLOWS
Cowanesque Water Supply Storage Project

> *"The commission shall have power to acquire, construct, operate, and control projects and facilities for the storage and release of waters for the regulation of flows and supplies of surface and ground waters of the basin, for the protection of public health, stream quality control, economic development, improvement of fisheries, recreation, dilution and abatement of pollution, the prevention of undue salinity, and other purposes."*
> – Section 4.2(a) of the Susquehanna River Basin Compact, P.L. 91-575; 84 Stat. 1509 et seq.

Do SRBC regulations require large water users to compensate for the quantity of water they use?

Yes, during times of low flows in the Susquehanna River. The Susquehanna River Basin Commission's (SRBC's) regulations on consumptive water uses (803.42) require large water users, consuming water in excess of 20,000 gallons per day over a 30-day average, to compensate for their water uses during low flows.

Consumptive water use means the water will be used and not returned to the Susquehanna River system, usually because it evaporates or is incorporated into a product. For instance, just one electric generating plant in the Susquehanna River basin consumptively uses an estimated 40 million gallons of water each day.

By requiring large water users to compensate for their water use, SRBC insures that fresh water will be available for many uses, including: (1) downstream users; (2) habitat preservation; and (3) maintaining flows to the Chesapeake Bay.

What is the Cowanesque Water Supply Storage Project

In the late 1970s, two large utility companies in Pennsylvania needed to find a source of water to meet SRBC's low flow water makeup requirement. Rather than construct their own water storage facility, the two companies agreed to pay SRBC to purchase water storage for them at the Cowanesque Reservoir in Tioga County, Pa., just south of the New York state line. The reservoir is a federal facility--constructed and operated by the U.S. Army Corps of Engineers.

In 1986, SRBC entered into a contract with the Army Corps and purchased 25,000 acre feet of water storage at Cowanesque on behalf of the utility companies. The companies could not contract directly with the Army Corps because a 1958 federal law, the Water Supply Act, allows only non-federal public agencies to purchase water storage at federally-owned reservoirs. Because of specific language in SRBC's compact (shown above in italics), the commission is able to acquire water storage for private entities at federally-owned reservoirs.

Who determines when the stored water is released to the Susquehanna River?

SRBC monitors the water flows of the Susquehanna. When SRBC determines that the river has reached a critical level, it directs the Army Corps to release the quantity of water necessary to compensate for the amount used by the two utility companies.

How does SRBC return money to the federal government from this project?

The original purposes of the Cowanesque Reservoir were for flood control and recreation. For any modifications to the use of the reservoir, such as for

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water supply, the original project must be reformulated to include water supply as a project purpose. As part of that reformulation process, new users are assessed a portion of the original cost to construct the facility. This assessment is paid to the federal government with interest over a period not to exceed 50 years.

When SRBC signed the contract with the Army Corps, it agreed to collect the new user assessment from the two utilities and pass it to the federal government. Over this 50-year period, the federal government will receive a total of $168 million from this project--about $3 million annually.

Because this annual payment is not going toward the repayment of a federal loan, it is new money that the federal government would not be receiving if SRBC had not initiated this water storage project.

In addition to the established annual assessment, the two utilities paid the necessary modification costs at the beginning of the project. They also pay a share of the annual operation and maintenance costs associated with the project. SRBC collects the monies for these associated costs and passes them on to the federal government.

What additional benefits does the Cowanesque Project provide?

The water storage project also has enhanced the recreational opportunities at the reservoir by increasing the size of the water pool from 410 acres to 2,060 acres. Each year, since the water storage project began, about 25,000 more people enjoy Cowanesque's recreational facilities.

Is SRBC considering sponsoring other water allocation projects?

Yes. Because of the success of the Cowanesque water allocation project, SRBC is considering sponsoring other projects, such as at the Curwensville Reservoir, near Clearfield, Pa.

INFORMATION SHEET

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PROTECTING THE CHESAPEAKE BAY

> *"The comprehensive plan shall take into consideration the effect of the plan or any part thereof upon the receiving waters of Chesapeake Bay."*
> --Section 14.1 of the Susquehanna River Basin Compact, P.L. 91-575; 84 Stat. 1509 et seq.

How important is the Susquehanna River to the Bay?

The Susquehanna River is the single largest contributor of fresh water to the Chesapeake Bay, supplying half of the Bay's fresh water. The average daily flow of the Susquehanna is 22 billion gallons. The Bay, in fact, is nothing more than the submerged area of what was once the lower Susquehanna River.

The quality and quantity of the waters from the Susquehanna has a direct effect on the health of the Bay. The tremendous productivity of the Bay is directly linked to the delicate balance between the salt water from the Atlantic Ocean and the fresh water from the Bay's many tributaries.

How does SRBC help protect and restore the Bay?

Each year, the Susquehanna River Basin Commission (SRBC) increases its involvement in protecting and restoring the Bay. SRBC has programs in place to regulate and monitor the quantity of the water in the river and to monitor water quality to identify trouble spots and insure that water quality standards are being met.

Regulating Water Quantity. SRBC is the only agency that regulates consumptive uses of the Susquehanna River waters. During periods of low flows, SRBC requires consumptive water uses to compensate for the amount of water they use. This benefits all downstream users and the Bay.

Monitoring Water Quality. SRBC is involved in several water quality monitoring programs. These programs are an important part of the Chesapeake Bay Program. The data and reports produced by SRBC provide state and federal program managers with important information about where to target their efforts and how their current programs are impacting on water quality and living resources.

Reducing Non-point Source Pollution. SRBC's expertise in the area of non-point source nutrient pollution, which is the primary cause of water quality impairment in the Bay, is important to its compact members (New York, Pennsylvania, Maryland and the federal government). SRBC assisted Pennsylvania in developing the state's nutrient reduction strategy--a strategy for reducing the nutrients reaching the Bay by 40 percent by the year 2000. In a related task, the commission also conducted a sediment management study on the three large Pennsylvania hydroelectric facilities in the lower Susquehanna River.

In Oct. 1994, SRBC conducted a non-point source conference in N.Y.

Monitoring Toxics. SRBC monitors and reports on toxics levels in the lower Susquehanna.

Evaluating the Use of Constructed Wetlands for Removing Nutrients. SRBC constructed, and now maintains and monitors, a wetland project on a farm in Halifax, Dauphin County, Pa. to determine the rate at which the constructed wetland will reduce nitrogen levels in the ground water. Test results show that the constructed wetland has reduced

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nitrogen levels by as much as 90 percent, with an average reduction of 36 percent.

Working In Partnership. The protection of the Chesapeake Bay is a large effort, involving many state, federal and local agencies, and private organizations and businesses. For best results, all these groups need to work cooperatively. SRBC is committed to that partnership. The commission participates in and plays an active role on several Bay program committees and subcommittees, including, chairing the Monitoring Subcommittee.

What role has SRBC played in the migratory fish restoration program?

SRBC played a leadership role in forging agreements for electric utilities to support migratory fish restoration and to build fish passage facilities at four hydroelectric dams in the lower Susquehanna River, allowing shad and other migratory fish to return to their historic spawning waters.

Included in SRBC's comprehensive plan is a set of goals for restoring the shad and other migratory fish. The goals are:

- To restore, through the use of fish passage facilities and other means, migratory fish species, such as American shad, hickory shad, blueback herring, alewife, striped bass, and American eel.
- To achieve an annual spawning population of 2 million American and hickory shad above the York Haven Dam within 25 years of the development of suitable fish passage facilities at Conowingo, Holtwood, Safe Harbor, and York Haven dams, and to provide suitable habitat conditions for these species below these dams.

In 1995, a record 61,650 American Shad were trapped and transported at the Conowingo Dam.

INFORMATION SHEET

Susquehanna River Basin Commission 1721 North Front Street • Harrisburg, PA 17102 • 717-238-0423

MANAGING THE BASIN'S WATER RESOURCES DURING DROUGHTS

The 1995 Drought

> *"In the event of a drought which may cause an actual and immediate shortage of available water supply within the basin, or within any part thereof, the commission after public hearing, upon due notice given, may determine and delineate the area of the shortage and by unanimous vote declare a drought emergency therein."*
>
> –Section 11(4) of the Susquehanna River Basin Compact, P.L. 91-575; 84 Stat. 1509 et seq.

What conditions lead to the drought of 1995?

The shortage of snow and rain during much of the period between Oct. 1994 through Aug. 1995 resulted in critically low ground and surface water supplies.

By the end of Aug. 1995, there were many undeniable drought indicators, including:

- Surface water flows were generally one-third the normal flows, or worse, for this time of the year;
- Ground water levels were significantly below normal in most of the basin (most wells were at levels only reached once in five to ten years);
- Thirty Pennsylvania water systems instituted voluntary or mandatory water restrictions (many more water systems followed suit in Sept.);
- There were incidences of localized fish kills, higher stream temperatures, lower dissolved oxygen levels, crop losses, and dry stream beds;
- The entire basin experienced precipitation deficits nine out of the 11 months between Sept. 1994 to Aug. 1995; and
- The Harrisburg, Pa. area recorded the driest month of August in history.

SRBC carefully monitors data coming from the U.S. Geological Survey's (U.S.G.S.'s) stream gages throughout the basin. The stream gages generate important water resources data that allow SRBC to determine exactly when the flows are at critically low levels (or high levels during times of flooding).

When was the 1995 basinwide drought warning declaration recommended?

As river levels continued to fall, the Susquehanna River Basin Commission (SRBC) convened members of its Drought Advisory Task Force on Aug. 29, 1995. The task force is comprised of representatives from SRBC's member states (New York, Pennsylvania, and Maryland) and several federal agencies, including the U.S. Army Corps of Engineers, U.S. Geological Survey, National Weather Service, and the Natural Resources Conservation Service.

During that meeting, task force members shared and exchanged important information about drought conditions in all three states. As a result, the task force recommended that SRBC declare a drought warning for the entire basin. SRBC immediately called for voluntary water conservation measures while SRBC staff prepared a written drought warning declaration. The declaration was formally approved on Sept. 14, 1995 at the commission's meeting in Havre de Grace, Md.

What are voluntary water conservation measures?

A drought warning calls for voluntary water conservation measures. Voluntary water use cutbacks of 10 to 15 percent during peak hours can have significant benefits if followed by everyone.

Water conservation measures include:

- Not watering lawns, unless just newly seeded. Grass often goes dormant and brown--not dead--under drought conditions;

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- Using a bucket, not the hose, to wash vehicles;
- Using a broom to clean sidewalks and driveways;
- Taking shorter showers;
- Using laundry and dishwasher machines only when the loads are full;
- Repairing leaking and dripping faucets immediately;
- Installing water saving devices in the home, such as low flow toilets and flow restrictors on showerheads; and
- Flushing toilets less often.

What else does the drought warning declaration contain?

In addition to calling for water conservation measures, the declaration directed SRBC staff to work closely with state and federal agencies to coordinate all actions leading up to a possible drought emergency declaration by the commission and any other separate drought-related actions taken by those agencies under their own authority.

The declaration also stressed the importance of adequate funding for: (1) the U.S.G.S. to operate the network of stream gages in the basin that provides the important water resource data; and (2) the National Weather Service for its forecasting services.

Finally, the declaration ratified SRBC staff action scheduling a public hearing to receive comments on a basinwide drought emergency declaration by the commission.

When and how does SRBC declare a drought emergency?

SRBC's compact requires the commission to hold a public hearing prior to issuing a drought emergency. Hearing notices must be published basinwide at least 20 days prior to the hearing. SRBC scheduled a public hearing for Sept. 28, 1995. Written notices were issued to various newspapers throughout the basin.

What are SRBC's water management authorities during a drought emergency?

During a drought emergency, SRBC's compact gives the commission additional powers that it normally can not exercise.

The compact gives the commission the authority to increase or decrease the amount of water for any water allocations, diversions or releases previously granted or required. During the drought emergency period, if a member state's laws on water withdrawal or diversion permits conflict with the commission's requirements, SRBC's authority supersedes the state's.

SRBC also may impose direct controls on the use of water. This can include making the voluntary water conservation measures mandatory and enforceable.

Did SRBC apply its consumptive water use regulations in 1995?

Yes. The consumptive water use regulations were adopted in 1976 to protect existing and downstream users. The regulation requires all new consumptive water users after 1971 using more than 20,000 gallons per day to replace the water during critical times or to cease drawing water from the Susquehanna River basin. Consumptive water use means the water will be used and not returned to the basin, usually because it evaporates or is incorporated into products such as concrete.

At this writing, SRBC has applied the consumptive use requirement to eight facilities located in Pennsylvania, and notified five facilities, including one in Maryland, to be on standby. Three of the eight facilities rely on waters from the Cowanesque Reservoir in Tioga County, Pa. for their replacement water. SRBC directed the U.S. Army Corps of Engineers to release the stored water for the three facilities.

What makes SRBC "uniquely" qualified to manage the basin's water resources, including during times of drought?

Among other reasons, SRBC is the only agency in the basin that:

- Can assume jurisdiction on interstate matters involving the Susquehanna River or tributaries. This provision is particularly helpful to downstream users. (Although New York is the basin's most northern state, it also is a downstream user because the Tioga River and the Main branch of the Susquehanna River curve upward and back into the state.)

- Is specifically authorized to review and approve water diversions into and out of the basin.

- Regulates consumptive water use to avoid conflicts between water users, protect public health, safety and welfare, control stream quality, promote recreation, protect fisheries and aquatic habitat, regulate flows and supplies of surface and ground waters, and dilute and abate pollution.

- Can allocate basin waters among the signatory states.

INFORMATION SHEET *(2/23/96)*

Susquehanna River Basin Commission 1721 North Front Street • Harrisburg, PA 17102 • 717-238-0423

MAPPING FLOOD STAGES FOR BASIN COMMUNITIES

> *"The commission may study and determine the nature and extent of the flood plains of the Susquehanna River and its tributaries. Upon the basis of the studies, it may delineate areas subject to flooding, including but not limited to a classification of lands with reference to relative risk of flooding and the establishment of standards for flood plain use which will promote economic development and safeguard the public health, welfare, safety, and property."*
> —Article 6, Section 6.2 of the Susquehanna River Basin Compact, P.L. 91-575; 84 Stat. 1509 et seq.

What is a flood stage forecast map?

In the mid-1970s, the Susquehanna River Basin Commission (SRBC) developed a technique to produce flood stage forecast maps that reflect a range of stream stages that are tied to forecast points. SRBC prepared and widely distributed maps for 90 basin communities. Each community map covered all or portions of that community.

The maps provide details of flood plain areas and flood profiles with water level contours to show and explain what areas in a community will be inundated as flood waters reach certain levels (flood stages). These maps were developed using the flood profiles generated for the federal flood insurance program and relate to stream gages operated and maintained by the U.S. Geological Survey. Data from these stream gages are used by the National Weather Service as forecast points. Each map identifies the location of the stream gage used in preparing the map.

SRBC currently is seeking funds to produce maps for other communities.

Why are flood stage forecast maps important for the basin?

The Susquehanna River Basin is one of the nation's most flood prone areas--experiencing over six times the national average in damages per square mile each year. Of the 1,388 basin communities, 1,150 of those are affected by flooding. Furthermore, since the year 1810, the basin has been devastated by a major flood about every 20 years, with the most recent being the January 1996 flash flood.

Because the basin is so flood prone, it is important that community officials and residents understand what will happen to them when the basin's waterways reach flood stage. Many basin residents are unfamiliar with and confused by the term "flood stage." For example, when a flood stage of 20 feet is predicted, people want to know if that means the water will rise 20 feet from the river's bottom or 20 feet above normal levels. Does it mean a wall of water 20 feet high will come down the river or that the water will rise 20 feet over the flood plain?

The flood stage forecast maps convert forecasted flood stages, issued by the National Weather Service, to mean local water level elevations for communities within the map study area.

Who uses flood stage forecast maps?

The maps can be used by: 1) emergency personnel to identify areas that will be inundated first;
2) municipal officials to develop flood evacuation plans; and 3) individuals living near the flood plain to easily determine how the forecasted flood will affect them.

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How long can the maps be used?

Once produced, the flood stage information is considered permanent. The only factor that may change is the addition of new development within the mapped area.

SRBC widely distributed the maps during the early 1980s to the community officials that were in office then. However, since there is a significant amount of turnover in local government, it is important that newly-elected officials be made aware of these maps so the communities can continue to benefit from them.

How are the flood stage forecast maps used?

Flood stage delineations, indicated by contour lines on the map, are placed usually in five (5) feet intervals. The intervals are chosen based on the topography of the flood plain. SRBC determined that a stage interval of five feet at the forecast point is generally adequate for interpretation and accuracy.

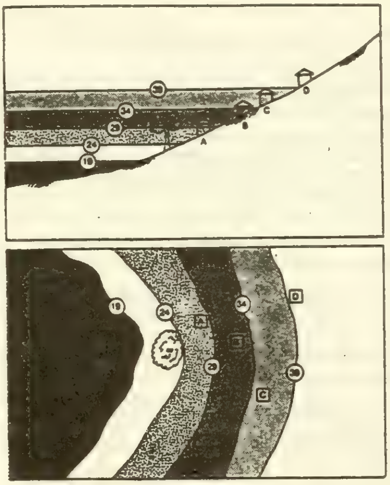
A flood stage forecast map is used after the National Weather Service or another reliable source predicts the expected flood stage for a specific event. Once that information is available, the map user can refer to the map and follow the instructions included on each map. In the next column is a sample instruction with the associated graphic.

The delineation lines placed on the map simply define the area of inundation to be expected if the forecasted flood stage happens to be one of the pre-selected stage interval lines. If the forecasted stage is not one that has been placed on the map, the map user must interpolate between stage interval lines. A more conservative approach, especially where delineations are provided at less than five feet intervals, is to use the next highest stage inundation line shown when considering the next course of action.

HOW TO USE MAP

1. Locate your property on map.
2. Determine the flood stage which will affect you. Consider not only water on your property, but also water preventing your evacuation.
3. Listen for forecasts on the radio and television of stages at the stream gage used on the map.
4. If the forecasted stage could affect you, begin emergency actions. If not, listen for revised forecasts until waters recede.

EXAMPLE: If you live in House A, river stages greater than 24 feet [indicated as 24 on the map] would affect your property directly. If your evacuation route goes through a low-lying area, emergency action may be required at a lower stage than the stage affecting your property.



INFORMATION SHEET

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RESOLVING INTERSTATE WATER DISPUTES

> *"In general, the purposes of this compact are to promote interstate comity; to remove causes of possible controversy; to make secure and protect developments within the states; to encourage and provide for the planning, conservation, utilization, development, management, and control of the water resources of the basin; to provide for cooperative and coordinated planning and action by the signatory parties with respect to water resources; and to apply the principle of equal and uniform treatment to all users of water and of water related facilities without regard to political boundaries."*
>
> --Section 1.3(5) of the Susquehanna River Basin Compact, P.L. 91-575; 84 Stat. 1509 et seq.

Why do disputes over water rights arise between the states?

Both surface and ground waters flow naturally without regard to political boundaries, making water rights issues often contentious and difficult to resolve. Disputes between states over the rights of waters that flow across state boundaries have long been a part of this nation's history.

Who has the responsibility for resolving interstate water disputes?

The U.S. Supreme Court, under the authority of Article III of the Constitution, is responsible for resolving interstate water disputes. However, if an administrative mechanism exists, disputes can be resolved without going through the legal system.

The U.S. Supreme Court has heard many interstate water disputes over the years. Some well known cases include:

- *Arizona v. California* (373 U.S. 576 1963) over the waters of the Colorado River.
- *Nebraska v. Sporhase* (458 U.S. 947 1982) over the transport of ground water across state lines.
- *New Jersey v. New York* (347 U.S. 995 1954) over the waters of the upper Delaware River. This case was litigated twice and eventually drew Pa. into the dispute.

Going through the court system is costly, complex and lengthy, and often results in unpredictable, sometimes unsatisfactory, rulings. For these and other reasons, an administrative dispute settlement mechanism is often preferred.

What is an administrative mechanism?

The Congress can enact laws creating agencies, such as the Susquehanna River Basin Commission (SRBC), that have the authority to resolve water disputes administratively--avoiding the legal costs and delays. When an administrative resolution is reached, the courts cannot change the outcome unless an agency has misapplied the law or abused its discretion.

How does SRBC resolve interstate disputes?

SRBC's compact gives the commission the authority to regulate water withdrawals from the Susquehanna River basin. The compact states that SRBC can "allocate the waters of the basin to and among the states signatory to this compact." SRBC's signatory states are New York, Pennsylvania and Maryland. Proposed water withdrawals that could have an impact on more than one of the states must first be reviewed and approved by SRBC.

The compact states may settle their differences within SRBC's administrative forum, where flexibility and water resource expertise can be applied on a case-by-case basis within the commission's regulatory authority.

The commission also meets bi-monthly where an on-going dialogue among the members helps to defuse potential controversies.

(Case Study On Back Page)

THE BALTIMORE EXPERIENCE: A Case Study

How much water does the City of Baltimore draw from the Susquehanna River?

The City of Baltimore is a significant user of the Susquehanna River. It depends on water from the Susquehanna River for its reserve water supply–about 100 million gallons per day (mgd) during dry times. This reserve water comes from the Susquehanna through a pipeline (known locally as the "Big Inch Line") from the Conowingo Pool, just upstream of the Conowingo Hydroelectric Project. The Conowingo Pool crosses the boundaries of Maryland and Pennsylvania.

The City's current total water needs per day from all its different water supply sources is about 250 mgd. Due to expected growth in its own water system and other systems that it serves, which includes five adjoining counties, the City projects needing a total of 360 mgd by the year 2025. This includes an increasing reliance along the way on waters from the Susquehanna. The City anticipates drawing 100 mgd from the Conowingo Pool everyday, not just during dry times

In 1994, the City announced that it planned to sell 30 mgd of water to Harford County. Due to the potential interstate impact from that additional diversion to Harford County, the Susquehanna River Basin Commission (SRBC) informed the City that this diversion would first have to be approved by SRBC.

Does the SRBC regulate water withdrawals having interstate impact?

Yes. SRBC is authorized, under Section 3.10 of the Susquehanna River Basin Compact, to regulate water withdrawals affecting any two signatory states. SRBC's signatory states are New York, Pennsylvania, and Maryland.

Can the City draw additional waters from the Conowingo Pool without SRBC approval?

Because additional withdrawals by the City from the Conowingo Pool could have an impact on other businesses and citizens of Pennsylvania and Maryland, the commission believes the proposal must first be reviewed and approved by SRBC. However, the City believes that it is exempt from the Section 3.10 provision because the Maryland law enacting the state's involvement in the compact includes language reserving the City's rights to the waters of the Susquehanna.

SRBC, citing Section 3.10 of the compact, notified the City that this planned diversion to Harford County must be approved. SRBC also noted that the Maryland law reserving the City's rights to Susquehanna waters was never agreed to by the other compact members, making it non-binding.

Additionally, federal licensing provisions for the Conowingo Hydroelectric Project, require certain minimum flows to be maintained through the dam to protect the lower Susquehanna and preserve inflows to the Chesapeake Bay. This licensing provision would have to be considered before the diversion to Harford County could be approved.

Are SRBC and the City working together to resolve this issue without going through the legal system?

Yes. Using the administrative mechanism provided by SRBC, meetings and other forms of communication have taken place between representatives of the City, SRBC and the state of Maryland. As a result, SRBC is working with the City to devise an operating scheme for all withdrawals through the Conowingo Pool.

Once finalized, this operating plan would:

- secure and protect developments located along the Conowingo Pool, in both states;
- avert a possible interstate confrontation over the waters in the pool;
- provide for cooperative and coordinated use of the waters in the pool for all users; and
- conserve freshwater inflows to the Chesapeake Bay during low flows.

Who else relies on water from the Conowingo Pool?

Numerous users in both states depend on water from the ConowingoPool, including large scale users such as:

- PECO's Peach Bottom Nuclear Power Plant;
- PECO's Muddy Run Pumped Storage Hydroelectric Project;
- PECO's Run of River Hydroelectric Project; and
- Chester Water Authority.

Mr. FRELINGHUYSEN. Who is next here?

Mr. GENTZLER. I will go next.

Mr. BEVILL. Mr. Chairman, if I may interrupt for just a minute, I have got a group of constituents down in my office so I am going to need to leave here and I am going to miss your testimony, but I will be working with you and doing the best I can to be of help.

Mr. COLE. Thank you, Congressman.

Mr. BEVILL. I think it is a mistake to do away with these but that is a matter, of course, the committee will have to make their decision.

And my friend and colleague back there, Bart, I will certainly read your statement and help all I can.

Mr. STUPAK. Thank you, sir.

Mr. BEVILL. Thank you, Mr. Chairman.

Mr. FRELINGHUYSEN. Thank you, Mr. Bevill. I share your sentiments.

Since I am on the Chair, I guess I can say that, can't I?

Mr. BEVILL. Would you say I have my priorities right?

Mr. FRELINGHUYSEN. You are right.

Mr. BEVILL. Thank you.

Mr. FRELINGHUYSEN. Your name for the record?

Mr. GENTZLER. My name is Keith Gentzler. I am from Pennsylvania and I am currently serving——

Mr. FRELINGHUYSEN. We will include your remarks totally in the record. And if you could do your level best to summarize, we have got a fair amount of competition for time here this afternoon.

Mr. GENTZLER. I will do my best to bridge my remarks as I go. Some of you may be surprised that the Potomac Basin does indeed extend into Pennsylvania, but it does.

With me is Herbert Sachs. He is our Executive Director of the Potomac River Basin Commission and he will assist me in answering any questions, and I will try to abridge my remarks here, on the fly.

We welcome, as others, the opportunity to offer testimony in support of the Potomac River Basin's request for a Federal appropriation of $508,000 for fiscal year 1997. The Commission asks the Congress remain in this partnership with the State's relationship that we believe has benefited the Potomac Basin States, the Federal Government, and most importantly, the citizens of the region.

With your permission, Mr. Chairman, I will present a summary statement and assume that the more detailed remarks will be included in the record.

Mr. FRELINGHUYSEN. They will be.

Mr. GENTZLER. Thank you.

In past years before this subcommittee, this agency has stressed the efficiencies of cost and effectiveness gained by all levels of government in the use of the watershed approach to natural resources management. Indeed, I think it is the only way that we in the future will be able to effectively manage what I think is the most important and most valuable resource we have in this country, our waters.

Budget restrictions throughout government make cooperation and reduction of regulatory burdens even more important. The Commission has worked to build teams that cooperatively bring resources to bear in solving the basin's problems. The need to reform the methods through which Federal, State and local governments operate is a goal that we all share.

However, this need is about more than just reducing the amount of money spent by government. The underlying principle that all must take responsibility for the resources they use or impact was a major reason for the creation of the Commission and I believe it is also a compelling reason for continued Federal involvement with this and the other two Commissions.

Perhaps unique among Eastern watersheds, the Federal Government controls more than a million acres of land in the Potomac Basin, more than 10 percent of the drainage area. We normally think of that for Western basins.

Almost all the Federal facilities in the basin are dependent on the river for one purpose or another. And many of these holdings are along the shoreline of the Potomac River right here in the Nation's Capital and along the Anacostia River, a major urban tributary to the Potomac.

If Congress' efforts to empower the States with increased responsibility is to succeed, I believe it must set an example to follow. The Potomac River Basin Commission needs the participation of the Federal Government as a responsible owner of a significant part of the basin. Asking the States to pay for the Federal interest in the basin, especially in a time of shrinking State resources, is tantamount to an unfunded mandate to these jurisdictions.

In the more detailed testimony, there are numerous examples of what the Commission is doing currently and, again, I will try to abridge those, just mention a few. We are a major player in the Chesapeake Bay Restoration Program, a program of international importance, and I am sure you know about it.

We are involved in restoration projects in a number of the tributary to the Potomac, particularly concerned about the toxic and other severe pollution problems in the Anacostia. We are also involved with management of water resources, water supply, through our co-op program, and again I won't go into the details on that.

We are involved in a project with the C&O Canal and as the other basins in some of the earlier testimony were also very concerned with coordination of flood control throughout the basin, as you know the Potomac Basin suffered severe flooding damage as did many of the other Eastern basins.

Finally, the detailed statement that we have submitted defines this evolving flood control cooperative program—again, I am trying to shorten here.

Let me in summary close with, I guess, four major points that I would like to leave the committee with: First, I believe that effective water resources management has to be done with a basin-wide approach. That is what these three commissions do for these river basins.

Secondly, as demands on the resource grow, I think the need for basin-wide cooperation and coordination will grow in importance. I think we can fill that need.

Thirdly, since the boundaries of river basins cross State boundaries, I think, if I can say, I believe Federal participation is really the glue that holds together these cooperative efforts, and without the Federal Government the participation—the effort is considerably weakened.

And the fourth point I want to make, specifically in terms of the Potomac, is that as the basin that supplies water for our Nation's Capital and also a basin where the Federal Government is a major landowner, I believe there is an additional Federal interest in basin-wide management of the water resources of the Potomac.

Mr. FRELINGHUYSEN. Thank you very much for your testimony.

[The statement of Mr. Gentzler follows:]

SUMMARY STATEMENT, SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT, COMMITTEE ON APPROPRIATIONS, U.S. HOUSE OF REPRESENTATIVES

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

March 6, 1996

MR. CHAIRMAN, SUBCOMMITTEE MEMBERS AND STAFF. I AM KEITH GENTZLER, CHAIRMAN OF THE INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN (ICPRB) AND AN EMPLOYEE OF THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION (YES, THE POTOMAC BASIN DOES EXTEND INTO PENNSYLVANIA). WITH ME IS HERBERT SACHS, EXECUTIVE DIRECTOR OF THE COMMISSION, WHO WILL ASSIST ME IN ANSWERING ANY QUESTIONS YOU HAVE.

THE COMMISSION WELCOMES THE OPPORTUNITY TO OFFER TESTIMONY IN SUPPORT OF ITS REQUEST FOR A FEDERAL APPROPRIATION OF $508,000 FOR FISCAL YEAR 1997. THE COMMISSION NOW ASKS THAT CONGRESS REMAIN IN THIS PARTNERSHIP WITH THE STATES, A RELATIONSHIP THAT HAS BENEFITED THE POTOMAC BASIN STATES, THE FEDERAL GOVERNMENT, AND MOST IMPORTANTLY, THE CITIZENS OF THE REGION BY THE IMPROVED HEALTH OF THE POTOMAC RIVER. THE ICPRB, AND THE ADMINISTRATION ASK THAT CONGRESS REVERSE ITS FY1996 CONFERENCE REPORT POLICY GUIDANCE ON THE FUTURE OF DIRECT FEDERAL SUPPORT OF THE RIVER BASIN COMMISSIONS. WITH YOUR PERMISSION, MR. CHAIRMAN, I WILL PRESENT A VERY BRIEF SUMMARY STATEMENT, BUT REQUEST THAT OUR MORE DETAILED WRITTEN STATEMENT BE MADE PART OF THE RECORD.

IN PAST YEARS BEFORE THIS SUBCOMMITTEE, THIS AGENCY HAS STRESSED THE EFFICIENCIES OF COST AND EFFECTIVENESS GAINED BY ALL LEVELS OF GOVERNMENT IN THE USE OF THE WATERSHED APPROACH TO NATURAL RESOURCES MANAGEMENT. IT IS THE APPROACH USED SUCCESSFULLY BY THIS COMMISSION TO IMPROVE AND PROTECT THE BASIN FOR ITS CITIZENS FOR MORE THAN 50 YEARS, AND HAS BECOME THE FAVORED APPROACH NATIONALLY. BUDGETARY RESTRICTIONS THROUGHOUT GOVERNMENT MAKE COOPERATION AND A REDUCTION OF REGULATORY BURDENS EVER MORE IMPORTANT. THE COMMISSION HAS WORKED TO BUILD TEAMS THAT COOPERATIVELY BRING RESOURCES TO BEAR IN SOLVING THE BASIN'S PROBLEMS. THE NEED TO REFORM THE METHODS THROUGH WHICH FEDERAL, STATE, AND LOCAL GOVERNMENTS OPERATE IS A GOAL SHARED BY ALL.

HOWEVER, THIS NEED IS ABOUT MORE THAN JUST REDUCING THE AMOUNT OF MONEY SPENT IN GOVERNMENT. THE UNDERLYING PRINCIPAL THAT ALL MUST TAKE RESPONSIBILITY FOR THE RESOURCES THEY USE OR IMPACT, IS A MAJOR REASON FOR THE CREATION OF THE COMMISSION THROUGH CONGRESS IN 1940. IT ALSO IS A COMPELLING REASON FOR THE CONTINUED FEDERAL INVOLVEMENT THAT THE COMMISSION SEEKS HERE TODAY.

PERHAPS UNIQUE AMONG EASTERN WATERSHEDS, THE FEDERAL GOVERNMENT CONTROLS MORE THAN A MILLION ACRES OF LAND IN THE POTOMAC BASIN, MORE THAN 10% OF THE DRAINAGE AREA. ALMOST ALL THE

FEDERAL FACILITIES IN THE BASIN ARE DEPENDENT ON THE RIVER FOR ONE PURPOSE OR ANOTHER. A MAJORITY OF THESE HOLDINGS, WHICH INCLUDE NATIONAL PARKS, FORESTS, AGRICULTURAL AND MILITARY FACILITIES, CONTAIN SHORELINE OF THE POTOMAC RIVER OR ITS TRIBUTARIES. HERE IN WASHINGTON, WHERE THE POTOMAC AND ITS TRIBUTARY, THE ANACOSTIA, FLOW WITHIN THE VIEW OF THE STATUE OF FREEDOM ATOP THE CAPITOL DOME, NEARLY ALL THE SHORELINE OF BOTH IS UNDER FEDERAL CONTROL. THE STRATEGIC LOCATION OF THE FEDERAL LAND ALONG THE STREAMBANKS MAKES THESE HOLDINGS ALL THE MORE CRITICAL IN ADDRESSING WATER QUALITY PROBLEMS.

IF CONGRESS' EFFORTS TO EMPOWER THE STATES FOR INCREASED RESPONSIBILITY IS TO SUCCEED, IT MUST SET AN EXAMPLE TO FOLLOW. THE ICPRB NEEDS THE PARTICIPATION OF THE FEDERAL GOVERNMENT AS A RESPONSIBLE OWNER OF A SIGNIFICANT PART OF THE BASIN. ASKING THE STATES TO PAY FOR THE FEDERAL INTEREST IN THE BASIN, ESPECIALLY IN A TIME OF SHRINKING STATE RESOURCES, IS TANTAMOUNT TO AN UNFUNDED MANDATE TO THESE JURISDICTIONS.

IN THE COMMISSION'S MORE DETAILED DOCUMENT, EXAMPLES OF COOPERATIVE PARTNERSHIP EFFORTS ARE NOTED. THESE EFFORTS INCLUDE OUR PARTICIPATION IN THE EPA-LED CHESAPEAKE BAY RESTORATION WHEREIN ALL OF THE STATE SIGNATORIES (MARYLAND, VIRGINIA, PENNSYLVANIA AND THE DISTRICT OF COLUMBIA) HAVE DRAINAGE AREA IN THE POTOMAC.

COMMISSION EFFORTS HAVE BEEN FOCUSED ON REDUCTION OF NUTRIENTS AND TOXICS, RESTORATION OF THE FISHERIES, AND PUBLIC OUTREACH.

TWO SUB-WATERSHED RESTORATION PROGRAMS ARE DISCUSSED: THE NORTH BRANCH WHERE THE COMMISSION IS COORDINATING AN EFFORT INVOLVING MARYLAND, WEST VIRGINIA, THE CORPS OF ENGINEERS, AND FOUR COUNTIES TO ELIMINATE THE MAJOR SOURCES OF MINE DRAINAGE AND RESTORE THE FISHERIES RESOURCES; AND THE ANACOSTIA WATERSHED, THE LARGEST URBAN RIVER RESTORATION EFFORT IN THE COUNTRY INVOLVING MORE THAN 60 FEDERAL, STATE, AND LOCAL AGENCIES. THE ICPRB IS THE LEAD AGENCY FOR PUBLIC EDUCATION AND OUTREACH WITH THE OBJECTIVE OF PROMOTING WATERSHED STEWARDSHIP AMONG THE CITIZENS OF THE AREA. THE COMMISSION ALSO IS INVOLVED IN TECHNICAL STUDIES TO DETERMINE THE EXTENT OF TOXICS IN THE TIDAL ANACOSTIA AND TO DEVELOP A POLLUTION REDUCTION STRATEGY. AGAIN, THE COMMISSION ALSO IS INVOLVED IN THE RESTORATION OF THE FISHERIES.

IN THE AREA OF ALLOCATION OF WATER RESOURCES, GROWING DEMANDS ALSO MAKE BASINWIDE MANAGEMENT A FUTURE IMPERATIVE. THE ICPRB SECTION FOR COOPERATIVE WATER SUPPLY OPERATIONS ON THE POTOMAC (CO-OP) CONTINUES TO WORK WITH THE WASHINGTON METROPOLITAN AREA WATER SUPPLY UTILITIES TO COORDINATE WATER SUPPLY OPERATIONS, ANALYZE WATER USE AND RESOURCE DATA, CONDUCT HYDROLOGIC AND WATER USE STUDIES, PREPARE WATER SUPPLY OUTLOOKS, AND CONDUCT DROUGHT EXERCISES. THE CO-OP REPRESENTS THE UTILITIES IN A FEASIBILITY STUDY OF THE CORPS OF ENGINEERS TO DETERMINE WHETHER ADDITIONAL WATER SUPPLY STORAGE CAN BE PROVIDED AT JENNINGS RANDOLPH LAKE.

THE COMMISSION IS WORKING QUICKLY AND EFFECTIVELY WITH THE CHESAPEAKE AND OHIO CANAL NATIONAL HISTORICAL PARK TO DEVELOP A DATABASE OF PLEDGED SUPPORT FROM HUNDREDS OF VOLUNTEERS. THE DATABASE, INSTALLED ON ICPRB COMPUTERS, WILL PROVIDE LISTS OF APPROPRIATE VOLUNTEER LABOR, SKILLS, AND SUPPLIES FOR SPECIFIC RESTORATION TASKS, AT THE TIMES AND LOCATIONS REQUIRED BY THE PARK FOR THE RESTORATION OF THIS REMARKABLE REGIONAL RESOURCE.

FINALLY, THE STATEMENT DEFINES A DEVELOPING EFFORT IN FLOOD CONTROL. SEVERAL SMALL TOWNS HAVE REQUESTED COMMISSION ASSISTANCE IN COORDINATING FEDERAL, STATE, AND LOCAL AGENCIES TOWARD FINDING SOLUTIONS TO THEIR FLOODING PROBLEMS. ANOTHER PROJECT IS EVOLVING THAT WOULD CREATE A JOINT STUDY TO ADDRESS REDUCING FLOOD LOSSES TO THE C&O CANAL AND OTHER NATIONAL PARK SERVICE HOLDINGS.

THROUGH THESE AND MANY OTHER EFFORTS, THE ICPRB HAS ACCOMPLISHED MUCH IN REVITALIZING THE "NATIONS RIVER" FROM ITS EARLIER REPUTATION IN THE 1960S AS AN OPEN SEWER. THE IMPROVEMENT WOULD NOT HAVE BEEN POSSIBLE WITHOUT THE ACTIVE INVOLVEMENT OF

ALL POTOMAC STAKEHOLDERS. WE SEEK THE CONTINUED INVOLVEMENT OF THE FEDERAL GOVERNMENT TO CARRY ON THIS IMPORTANT WORK.

IN SUMMARY, I'D LIKE TO REITERATE 4 MAIN POINTS.

1. WATER RESOURCES MANAGEMENT NEEDS TO BE DONE ON A BASINWIDE APPROACH,
2. AS DEMANDS ON THE RESOURCE GROW, THE NEED FOR BASINWIDE COOPERATION WILL GROW IN IMPORTANCE,
3. SINCE STATE BOUNDARIES CROSS RIVER BASIN BOUNDARIES, CONTINUED FEDERAL PARTICIPATION IS CRITICAL AND,
4. AS WATER SUPPLY FOR OUR NATION'S CAPITAL, THERE IS AN ADDITIONAL FEDERAL INTEREST IN BASINWIDE MANAGEMENT OF THE POTOMAC.

MR. CHAIRMAN, AGAIN I APPRECIATE YOUR ALLOWING US THIS OPPORTUNITY TO TESTIFY AND WILL BE HAPPY TO ANSWER YOUR QUESTIONS.

STATEMENT FOR THE RECORD, SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT, COMMITTEE ON APPROPRIATIONS, U.S. HOUSE OF REPRESENTATIVES

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN
MARCH 6, 1996

The Interstate Commission on the Potomac River Basin (ICPRB) welcomes the opportunity to submit this statement in support of its request for a Federal appropriation of $508,000 for Fiscal Year 1997. We and the Administration ask the Subcommittee to reconsider the policy guidance contained in the FY 1996 Conference Report on the future of direct Federal funding for the river basin commissions. The ICPRB, the Administration, and most members of the cognizant states believe the three river basin commissions provide key leadership in flood plain and watershed management, and smaller, more effective government.

In past years before this Subcommittee, this agency has stressed the efficiencies of cost and effectiveness gained by all levels of government in the use of the watershed approach to natural resources management. It is an approach used by this agency to cooperatively improve and protect water quality in the Potomac basin for more than 50 years. Budgetary restrictions throughout government make interagency cooperation and a reduction of regulatory burdens ever more important. The need to reform the methods through which Federal, state, and local governments operate is a goal shared by all. Yet, this need is about more than just reducing the amount of money spent in government. The underlying principal, that all parties must take responsibility for the resources they use or impact, is a major reason for the creation of the Commission through Congress in 1940. It also is a compelling reason for the continued Federal involvement that the Commission seeks here today.

The Federal government controls more than a million acres of land in the Potomac basin, approaching 10 percent of the drainage area. Almost all of the facilities located on Federal property are dependent on the River for one reason or another. A majority of these holdings, which include national parks, forests, agricultural and military facilities, contain Potomac River or major tributary shoreline. Here in Washington, where the Potomac and its tributary, the Anacostia, flow within the view of the Statue of Freedom atop the Capitol dome, almost all of the shoreline of both is under Federal control. The location of these properties is particularly significant in addressing water quality problems emanating from land runoff.

If Congress' efforts to empower the states for increased responsibility is to succeed, it must set an example to be followed. The ICPRB needs the participation of the Federal government as a responsible owner of a significant part of the basin. Asking the states to pay for the Federal interest in the basin, especially in a time of shrinking state resources, represents an unfunded mandate that these jurisdictions can not bear.

The Commission now asks that Congress remain in this partnership with the states, a relationship that has benefitted the Federal government, the Potomac basin states, and most importantly, the citizens of the region by improving the health of the Potomac River.

This partnership and support has produced many beneficial results, centering on cooperative watershed management and the building of a network of Federal, state, and local government as well as citizen support. We now highlight several examples:

Revitalizing the Anacostia Watershed

Rated as one of the most threatened rivers in the nation by American Rivers, a conservation group, the Anacostia is representative of the plight of many urban waterways. The watershed also is serving as a template for the renewal of urban rivers, with more than 60 Federal, state, and local government agencies working throughout the watershed in Maryland and the District of Columbia. The coordinated actions of these agencies serves as a good example of cooperative watershed management among stakeholders in the Anacostia drainage.

The Commission supports the efforts of the multi-agency Anacostia Watershed Restoration Committee effort, led by the Metropolitan Washington Council of Governments, through its **public education and outreach program**. Anacostia watershed issues are given coverage in the Commission's newsletter. Five coordinators work part-time for the Commission in the basin's subwatersheds. The coordinators give presentations to various local groups, and stimulate the formation of citizens organizations in the sub-basins. They also have helped recruit citizens for other programs using volunteers for environmental work in the basin. Building public knowledge of and support for environmental policy decisions results in consensus solutions with the best chance of success.

Commission staff are involved in studying results of the **Kenilworth Marsh restoration**. The largest remaining metropolitan-area wetland has benefitted from the U.S. Army Corps of Engineers (ACE)-led effort to improve tidal water flow through the marsh and reintroduce native plant species. The Commission, in concert with ACE, is monitoring nutrient cycling in the Marsh. Preliminary results show substantial changes in the concentration and movement of nitrogen and phosphorus between the marsh and river. Further data collection and analysis will aid in the understanding of the benefits of wetlands to the Anacostia and other areas in the Chesapeake Bay watershed.

Another project will determine the volume and mass of **contaminated sediments** in the tidal Anacostia for the District of Columbia government. The study will assess recently deposited sediments in the lower river, determine the volume and concentration of metals and organically contaminated sediments, and estimate the contaminant's burial rate under new sediments. A report will be prepared by this summer. Other work will investigate the contaminant loads entering the tidal Anacostia from Maryland tributaries. Regular monitoring is being combined with stormflow data to assess the travel of contaminants downstream.

The results of these studies will be used to help ICPRB develop an **action plan to address toxic contamination** in the District's portion of the Anacostia. The Anacostia in the District was one of three Regions of Concern for toxic contamination cited by the Chesapeake Bay Program Executive Council, which directed that action plans be created for the areas. The Commission is assisting the District of Columbia in writing the plan, which should be in draft form this summer.

Other Commission Anacostia efforts are aimed at **restoration of the watershed's fisheries**. Projects shared with other agencies include habitat improvement through elimination of barriers to fish migration, reconstruction of degraded habitat, and other projects. Restocking of streams and studies of the improved areas, and monitoring of both fish stocks and invertebrate communities (food sources for the fish) are ongoing. Last year, several stream blockages were modified to allow fish passage, and studies this year will evaluate their effectiveness.

Contamination from toxic substances are issues of concern on the metropolitan Potomac, as in any urban area. The Commission continues to work with the District of Columbia in evaluating concentrations of metals, pesticides, and other organic contaminants found in game fish. Further research will help the District update its fish consumption advisory, as well as complementing the contaminant studies for Kenilworth Marsh.

Chesapeake Bay

Many of the Potomac programs carried out by the Commission have applications in the EPA-led effort to revitalize the Chesapeake Bay, and many projects represent direct bay involvement. The ICPRB's work toward the Chesapeake cleanup has increased as the efforts have moved up into the tributaries, of which the Potomac is the second largest to the bay.

This work is most apparent in the effort to **reduce tributary nutrient loads to the bay by 40 percent**. The method for attaining the goal is through watershed-based nutrient reduction strategies for each major bay tributary. As agreed by the Chesapeake Executive Council, the bay has been divided into ten major watersheds. The Potomac watershed nutrient reduction effort is unique among the bay tributaries because its watershed is shared by the four signatory jurisdictions in the cleanup--Maryland, Pennsylvania, Virginia, and the District of Columbia. Although each jurisdiction is working to reduce nitrogen and phosphorus within their own boundaries, their efforts must result in a 40 percent reduction of each nutrient for the Potomac watershed. The ICPRB is chairing a workgroup to coordinate the efforts of the states and the District of Columbia as they devise their strategies. The workgroup serves as a forum for the jurisdictions to resolve various issues. The Commission staff continue to give technical support to all jurisdictions including compiling data on nutrient loadings and conducting research to provide nutrient reduction options. Commission staff are involved in tributary strategy teams that include public input to the process. Modeling work and other ICPRB research is being put to use in the **nutrient reduction strategies of other watersheds**, including the Susquehanna and the Patuxent.

Water Supply

The ICPRB Section for Cooperative Water Supply Operations on the Potomac (CO-OP) continues to work with the Washington metropolitan area water supply utilities to coordinate water supply operations, analyze water use and resources data, conduct hydrologic and water use studies, prepare water supply outlooks, and conduct drought exercises. In addition to this ongoing work, CO-OP is representing the utilities in a study assessing the **reallocation of water storage at Jennings Randolph Lake**. The reallocation is being studied in relation to the State of Maryland's consumptive use rule, which requires permitting of major non-municipal water users on the Potomac. The CO-OP also continues its involvement in **water quality operating rules** for the reservoir.

The CO-OP has recently completed a demand forecast and resource availability analysis for the water utilities. The study results include a prediction that average water demands will rise to about 622.8 million gallons per day (mgd) by the year 2020, a rise of about 176 mgd from 1990 levels. The study notes that the method of joint operations used by the utilities would keep them in water in the face of growing demands through the year 2020, even during a repetition of the worst historical drought. The report also listed other future sources of water, and their costs and benefits.

The CO-OP continues to operate and refine the **toxic spill model**, which can alert utilities of the approach of an accidental hazardous substance spill occurring upriver.

North Branch Restoration Project

This ongoing effort continues to provide assistance to state and local governments to create a world-class trout fishery on the North Branch Potomac River, primarily below the Jennings Randolph Reservoir. The project seeks to aid a recession-plagued area, which has lost its industrial economic base, by fostering growth of a tourism-based economy through improved water quality. A 1993 agreement signed by the states of West Virginia and Maryland along with ICPRB has provided a template for continuing water quality and river corridor enhancement efforts. The ACE, which manages the dam and reservoir, also is a partner in the effort. The agreement created a task force that continues to work toward the goal, which in addition to the fishery will promote hiking, whitewater rafting, and other outdoor recreational opportunities. Significant milestones in this long-term effort have included water quality improvements yielding a naturally reproducing trout population on the North Branch, acquisition of new state and county recreational lands, and the enlistment of local residents in the planning and restoration process. The ACE currently is performing a reconnaissance study examining issues such as coal mining impacts and other opportunities for restoration and recreational enhancements. The Task Force serves as the Steering Committee for the reconnaissance study, further linking Federal and state programs. The study will include a prioritized list of possible efforts and implementation plan.

In support of efforts by the states of Maryland and West Virginia, Federal agencies, and coal companies, the Commission is continuing work toward **reducing the impacts of acid mine drainage**. The ICPRB is working with those entities in the development and construction of innovative treatment systems. The impacts from each site present unique problems that often require a customized solution. For example, an effective wetland treatment system may not fit on a desired site, requiring the design of some other treatment method.

Some management challenges in the North Branch watershed are of a different nature, but still respond to the formation of partnerships for their solution. One such case is **Evitts Creek**, which flows from Pennsylvania into Maryland, meeting the North Branch Potomac at Cumberland, Md. Reservoirs located in the Pennsylvania portion of the stream provide the potable water source for Cumberland. The reservoirs have been impacted by algae growth, probably from agriculture, forestry, and other impacts that have caused increasing water treatment problems for the Maryland town. The Commission has been working with the two states, the Natural Resources Conservation Service, and local governments to develop a cooperative management plan that will protect water quality in the reservoirs and address recreational use. The ICPRB continues to work with the multi-jurisdictional Evitts Creek Steering Committee to restore watershed water quality. Efforts this year include planning for a watershed education center located in Pennsylvania. The center will serve as a resource for farmers and other landowners seeking to make improvements to their land that will improve and preserve water quality. The center also will serve as an educational resource for students.

C&O Canal National Historical Park and Upper Basin Flood Restoration

Wide-spread rain falling on melting snow produced exceptional runoff over frozen ground in the Potomac River basin during January of this year. The resulting flood in most of the basin was as great or greater than those generated by Hurricane Agnes in 1972 and Tropical Storm Juan in 1985. Damage also was proportionately large. After the flood waters receded, several communities asked the Commission for assistance in addressing their flood problems looking for ways to reduce damages in subsequent events. Meetings with the full participation of appropriate Federal, state and local agencies and the public were held, and follow up action is planned. In addition, ICPRB will assist the National Park Service in a study of ways to reduce flood damages to the C&O Canal and other Park properties.

The C&O Canal National Historical Park was especially hard hit by the flooding for much of its 184-mile length. The flood waters caused extensive damage entering and leaving the canal. Not only was the damage to the canal and associated facilities a massive and confusing situation, but the number of offers of help threatened to overwhelm park staff.

In order for the National Park personnel to effectively organize the hundreds of people who were offering help in the form of their labor, skills and supplies, ICPRB worked quickly and effectively to set up a database of information. The intent of this structured information is to allow the generation of mailing lists and other organized contacts to be made, which will target specific volunteer groups for certain kinds of needs at the required times and locations. The database will also be searchable for pledged supplies and skills so that they may most effectively be used in the cleanup and repair activities by the National Park during the coming Spring and Summer. Working in cooperation with Park Service personnel, Commission staff have set up the database on ICPRB computers, entered most of the offers of help, and begun to provide selected lists to the National Park employees in charge of the cleanup and repair of this remarkable local resource.

It is activities like this one that demonstrate clearly the benefit to the Federal government of supporting the Commission. The small size of the Commission allowed us to respond quickly and effectively to facilitate intergovernmental and public interaction. Without the Federal support of the Commission, activities like the repair of the C&O canal would progress much more slowly, to the public detriment.

Mr. FRELINGHUYSEN. Moving on to the Delaware River Basin.

Thank you for your patience.

Mr. D'ANNA. My name is Vince D'Anna, United States Commissioner for the Delaware River Commission. I will be exceedingly short.

Mr. FRELINGHUYSEN. You get extra points for that since you represent my basin.

Mr. D'ANNA. Obviously, we are very concerned about the subcommittee's action last year and we are prepared to answer any questions.

I have Mr. Hansler here, and the commission council here. And I would like to at least highlight—I assume our testimony will appear in its full in the record?

Mr. FRELINGHUYSEN. Absolutely.

Mr. D'ANNA. All right.

Mr. FRELINGHUYSEN. In total.

Mr. D'ANNA. I would like to highlight and ask that the committee look at specifically two particular areas. One, the problems of the compact itself and the logistics of zeroing out and getting out of the compact.

We have brought committee counsel—Commission counsel with us today. He will be available today for any questions or any questions that the committee or the staff might have in the future.

The second thing that I think, if we could—we have a lot of people, including the Governors, who would like to—would like to let their views be known and if the record could be held open for the future, that we might be able to at least——

Mr. FRELINGHUYSEN. Without objection, the record will be open for 5 days or for however—we will receive testimony for the foreseeable future.

Mr. D'ANNA. OK. That would be great.

And Mr. Hansler here may want to make a few observations.

[The statement of Mr. D'Anna follows:]

STATEMENT OF VINCENT P. D'ANNA, UNITED STATES COMMISSIONER, DELAWARE RIVER BASIN COMMISSION, IN SUPPORT OF FISCAL YEAR 1997 APPROPRIATIONS FOR SALARIES AND EXPENSES AND THE FEDERAL CONTRIBUTION BEFORE THE HOUSE SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT, COMMITTEE ON APPROPRIATIONS, MARCH 6, 1996

Mr. Chairman and Members of the Committee:

My name is Vincent D'Anna. This is my first opportunity to appear before the Committee since my appointment as United States Commissioner by President Clinton in June 1994.

I am here today to support continuation of the Salaries and Expenses item and the Federal Contribution to the Delaware River Basin Commission which total $876,000. As you know, the President's budget will not be released until March 18, and the normal Congressional Budget Justifications Statement with its figures and schedules will be sent to you as soon as possible after the President's budget has been released.

I respectfully request that the Committee reconsider the guidance contained in the FY 1996 conference report on future direct funding for the three river basin commissions and retention of the Federal commissioners' offices. The Administration and most of the congressional delegation of the Basins believe the river basin commissions provide key leadership in watershed management and help to effect a smaller, more efficient government.

Everyone associated with the Commission was stunned by the Committee's decision last year to zero out Federal participation in the Commission. The Commission and the Administration believe any termination of Federal participation in the commission should result from an open, public process, with full participation of the affected States, comparable to the extensive hearings which were held during the Commission's creation. I believe that process should preceed any appropriations action to terminate Federal participation.

From my own point of view, the Committee's action would have been understandable had it reflected action to correct a failed policy of the past based on the Commission's organizational structure not having lived up to the expectations of the Compact's framers. But, that is not the case. Federal membership and the binding nature of the Federal vote on Federal agencies have resulted in an orderliness to the diverse and often divergent Federal programs being carried out in the Basin.

The Federal role has brought about the integration of the activities of the myriad Federal agencies with those of the Commission and the prevention of Federal actions which could adversely affect the long-range planning of the four Basin States. It has removed the type of dissension which exists elsewhere in the Nation between the States and the Federal Government -- all of which is a testament to the farsightedness and wisdom of the framers of the compact.

It addition, representatives from nations throughout the world flock to the Delaware River Basin Commission, marvel at its success, and return home to seek to model their own water resources management structures after the Delaware pattern.

The Committee's action might also be understandable:

--if the Commission and the Federal representative were truly costly to the Federal Government, and that is not the case. Last year's total budget was less than $1 million.

--if the Federal role in the Commission represented a bloated bureaucracy whose termination would have a significant impact on governmental downsizing. And, that is not the case. Only 2 Federal positions are involved.

--if Federal financial support of the Commission and retention of its Federal representative were obstacles to streamlining government when their very purpose is to streamline and focus the efforts of a multitude of Federal and State agencies, and to eliminate duplication.

--if the Commission and its Federal representative were not cost effective. And, that is not the case. Far more is returned to the Federal Government as the result of the Commission and its Federal representative than the Federal Government invests in them--through direct savings, enhancement of tax dollar flow, and avoided costs.

--if the Commission and Federal membership were an anachronism--no longer needed to meet the demands of the future--which is not true. Our Nation is indeed fortunate to have a proven organizational structure in place that is well equipped to meet the challenges of the 21st century.

--and, finally, if there truly were a lack of interest in the Commission and retention of its Federal membership. Again, that is not the case. We are aware of many within the economic development and environmental communities, as well as elected public officials who support the Commission and its Federal representative and are are ready to testify or submit written statements as evidence of that support, as has already been done by all the Basin Senators.

Mr. Chairman, I believe it is indisputable that the Commission's institutional structure is part of the solution to wise river basin policy; it is not part of the problem. For this reason, I would hope the Committee would reconsider its position of last year.

However, if this Committee is contemplating further action toward terminating Federal membership and financial participation in the Compact, Congress needs to determine the proper means of effecting such changes in what is, afterall, a contract between the Basin States and the Federal Government that the Compact characterizes as a "solemn covenant."

Should the Congress wish to reconsider the Compact, it will need to focus on certain provisions of the basic Compact (Part I) to which its consent is based upon the assumption of a full voting Federal member.

Among those provisions is Section 11.1(b) which requires Federal projects to be included in the Commission's comprehensive plan in order to be deemed authorized or before any money can be spent on them. The provision is fulfilled through the role of the Federal representative. If Congress withdraws the Federal membership, does it still want to impose such a requirement on Federal projects?

Would a change in Commission membership affect the acceptability of Section 3.3 to all the Supreme Court Decree parties? This is the provision which enables the Commission to declare a drought emergency and then change the provisions of the Decree.

Other legal issues reside in the Congressional reservations governing Federal participation in the Compact. Section 15.1(s)(1) provides that no Federal agency or officer may take any action which would conflict with an affirmative Federal vote on a provision of the Commission's comprehensive plan (all major policies and projects). Section 15.1(s)(2) provides for a presumed Federal affirmative vote unless a Federal letter of non-concurrence is filed within 60 days of the vote. Without funding to provide for a Federal representative, there is no way to give effect to this latter provision. Through their majority vote, the States would have unprecedented power to bind the Federal Government, which would undo the carefully crafted balance of powers built into the Compact.

Congress has placed numerous other reservations on its consent to the Compact that would appear to be inappropriate in the absence of Federal membership. They relate to such matters as the necessity for Congressional authorization of projects undertaken by the Commission with other than State supplied funds. The language is now intended to deal with projects requiring Federal appropriations. With a change eliminating Federal membership, that provision could be read to preclude the Commission from undertaking projects funded with its own bonds unless it has the approval of Congress.

Congressional consent to and Federal participation in the Compact is subject to exempting pre-Compact water users from Commission water charges. Without Federal participation, would that limitation on a basic Compact authority still prevail? Should the Commission as a purely non-Federal entity continue to be saddled with the requirements of the Davis-Bacon and Walsh-Healy Public Contracts Acts?

Congress also needs to decide whether voluntary contacts between the numerous Federal agencies operating in the Basin and Commission can be expected to achieve the level of coordination needed to make the Commission's interstate planning and regulatory program effective. The House Judiciary Committee rejected such a policy as "antique" 35 years ago when it considered the Delaware Compact and indicated that water resources study commissions had shown conclusively that voluntary cooperation has never yet worked in a satisfactory manner.

Is the replacement of the Federal role with cumbersome and ineffective, if not more costly, separate Federal agency contacts and meetings with Commission staff and each of the States on matters pending before the Commission truly in the best interests of the Nation? Especially when such contacts do nothing to resolve conflicts?

This is not an abstract issue. It involves such critical matters as drought management planning, decisions relating to the amount of reservoir storage needed for the Basin, the toxics control program which involves different positions of two EPA regional offices, and projects that come before the Commission each month for review which involve Federal interests. In any situtation involving a dispute between any Federal agency and the Commission decision, the absence of the role of the Federal representative would force expensive and time-consuming litigation. Where applicants are involved, it would leave them hanging helplessly in the middle.

I believe the role of the Federal representative will be crucial in the months ahead in developing a new drought management plan based on new knowledge relating to salinty intrusion--an effort which I initiated and could result in deferral of $200 million in capital outlays, depending on the extent to which releases from existing reservoirs can be optimized.

Other areas which will require an active Federal role are the assurance of high priority attention to the protection of the two Federally designated scenic river areas in the Basin;

putting into place a financing mechanism and serving as liaison between the Corps and the States regarding the Delaware Channel Deepening Project; resolution of disputes between the two regional offices of EPA with regard to implementation of the Commission's pending toxics control program; brokering the impasse between the two EPA regional offices and the States to get the Estuary Management Plan off dead center; acting as a coordinator regarding the Corps' new wetlands protection program and the critical wetlands of Pennsylvania's Pocono area because of their importance to upper basin water quality; assuring the fisheries studies regarding the Salem nuclear plant satisfy the concerns of the Federal fishery agencies; and working to have the National Park Service recognize in its scenic river studies the reservation of the Churchman's Marsh site in Delaware for reservoir development in the Commission's comprehensive plan.

In addition to the above, since my appointment an active Federal role has been required relating to the advancement of the long-standing Ice Jam Prevention project, which was completed just in the nick of time to prevent enormous flood losses and the possibility of the loss of life during the January floods; bringing a focus upon the poor water quality which exists at the Corps' Blue Marsh reservoir project in which the Commission owns the water supply storage, and the solution to which rests with the joint efforts of the State, the Corps, the Fish and Wildlife Service, the National Resources Conservation Service, the County Extension Services, and the Commission; expanding public participation in Commission activities; focusing Commission attention on the course of action it intends to pursue over the long and short term; expanding the representation of the Commission's toxics advisory committee, and pursuit of GIS capability.

In conclusion, these examples serve as illustrations of the importance of the role of the Federal representative and the far-reaching implications of any action to remove Federal membership from the Commission.

Mr. FRELINGHUYSEN. Mr. Hansler, Mr. Goldberg, thank you for being with us.

Mr. Hansler.

Mr. HANSLER. Only one.

Mr. FRELINGHUYSEN. Mr. Hansler, if you could move the microphone and introduce yourself. We have a Member here also who would like to testify.

Mr. HANSLER. OK.

Jerry Hansler, Executive Director of Delaware River Basin Commission.

My only comment is that when the flood hit in January, it was not major in Delaware. We lucked out and were doing it right, and since then we have brought 14 agencies together to even do a better job next time around.

[The statement of Mr. Hansler follows:]

Mr. Chairman and Members of the Subcommittee:

This is to request continued support from the U. S. Government to the Delaware River Basin Commission (DRBC) for Fiscal Year 1997.

Our unanimously approved budget for FY '97, which included the vote of DRBC's U. S. Commissioner, allocated $534,000 as the Federal contribution. This is a reduction of $17,000 from FY '96. It is also requested that the small and effective full-time staff of the U. S. Commissioner's office be funded. These requests are made in light of the House/Senate conference report language last year which stated a ..."prospective termination of Federal funding..." to the DRBC in FY '97. This opportunity to make our case, before any final decision is made, is very much appreciated.

It is recognized that the Federal government, as well as many states, are having budget difficulties, and that the value of any and all programs should be scrutinized as to their continuation. For FY '97, all four states in the Delaware Basin will fully fund the DRBC as to their "fair share" contributions — this in spite of severe cutbacks in many programs in three of the four states. However, the states have not opted to pick up the Federal share for the DRBC. Suggesting that the states fund the Federal share is probably more unreasonable than Congress requesting the states to pay for unfunded Federal mandates in general.

I realize that the DRBC was one of forty agencies targeted for termination in a "Heritage Foundation Appendix." It's true that if DRBC's Federal funding was eliminated it could save the U. S. government $1.6 million from FY '97 through FY '99. However, the value of services rendered to, dollars generated for, and costs avoided by the Federal government in maintaining this Federal-State partnership far outweigh that amount. The DRBC serves over 17,000,000 people and that alone should be of vital interest to the United States government for the many reasons set forth in the Delaware River Basin Compact — which Congress approved and joined the Federal government as an equal party with the four states.

Congress, in passing the Compact, agreed that the Federal government would jointly exercise with the states their water resources "powers of sovereignty in the common interests of the people of the region." Until Congress acts to remove the U. S. government from the Compact, it seems logical that they should provide this modest fair share sum of $534,000 for the tremendous value received. This value is in both dollars, and the rendering of streamlined public service. The dollar benefits to the U. S. Treasury are direct, enhance tax dollar flow, and avoid drought and flood related cost outlays.

Maintaining our small but effective DRBC staff (38 people) has provided other Federal agencies a vehicle to receive data and recommendations important to their decision-making processes, at a cost savings. The DRBC has completed flood-plain mapping for H.U.D., F.E.M.A., and the U. S. Army Corps of Engineers (Corps) — thereby avoiding the hiring of additional Federal employees with attendant salaries, benefits, and retirement costs. Recently, we were asked by the Corps to analyze the environmental impact of salinity intrusion from a proposed dredging project, the spoils of which might be used to extend Philadelphia's airport runway. This job was done at no cost to the Federal government and was possible because of our core capabilities. The data, recommendations and conclusions provided by the DRBC resulted in a cost savings of $19 million to the Corps and $7 million to the City.

Another example of direct cost savings is DRBC's role as the single, non-federal sponsor of Corps' projects such as the Beltzville and Blue Marsh reservoirs. Could you imagine the paper morass resulting if the Corps had to sign individual contracts and collect fees from about 200 different municipal and industrial water supply users? Incidentally, we always meet our financial obligations to the Federal government regarding principle, interest, and O & M — and on time.

The DRBC, because of its powers and authorities contained in the Compact, has a major role in determining economic development. Economic development not only provides an improved tax base within the states, but the construction of new projects and their continued operation generates tremendous Federal income tax revenues for the U. S. Treasury. Our rules, regulations, standards, and policies which serve as the yardstick to project approval have been developed with broad-spectrum public input — environmental, social and economic. Our Basin Water Code is applicable without regard to political boundary — as mandated in the Compact. This has eliminated the problem of interstate squabbles over environmental regulations and in some cases negated costly and time-consuming litigation.

The value of DRBC's environmental/economic approach to new development over the past ten years has resulted in the construction of over 1,000 projects costing over $4 billion. Because of our even-handed economic/environmental process of doing business, these projects were not built elsewhere, such as in Mexico or Canada. Therefore personal and corporate income taxes are paid to the U. S. Treasury. It seems sensible that the Federal government would desire to continue to be an equal partner in this process.

Another example of DRBC enhancing Federal tax flow are the actions which were taken in emergencies such as droughts. Last fall, the DRBC provided emergency water supply approvals to water-short users. One industrial plant employing 2,800 people would have shut down for four weeks without DRBC assistance. Assuming the lowest income tax rate of 15 percent and average annual taxable income of $23,000, this one action prevented a loss of $800,000 to the U. S. Treasury in personal income tax revenue, and probably that much more in corporate tax revenues. An important feature of this action is that the Federal government has a vote in making these decisions of water allocations — surface or ground. The Delaware and the Susquehanna river basins are the only regions of the country where the U. S. government has a joint hand in water allocation, which provides a voice in protecting and enhancing the myriad Federal interests.

The DRBC plans and programs in drought and flood operations have and continue to save the Federal government millions of dollars in avoided costs over the past 34 years. By DRBC developing and operating an effective drought operating plan, the U S. government has not had to "bail out" the region during three major drought emergencies. Congress and the various administrations seem to be doling out disaster assistance to other areas of the country, which apparently do not effectively manage their water resources. Our drought operating plan is fairly complex and even provides for the revision of rights and responsibilities in a 1954 U. S. Supreme Court Decree apportioning the waters of the Delaware. Under the Compact, the DRBC has the right to amend that Decree during emergencies, and the Federal Commissioner has a vote in that decision-making process. The Commission has temporarily modified that Decree over 15 times in the past 15 years under the Compact. If our Congressionally approved Compact was not in place, the number of water battles to be handled by the Federal courts would undoubtedly be considerable, and at considerable Federal court cost.

As to flood control, one DRBC purpose is to provide for cooperative planning and action by the signatory parties and their agencies. Recently, the Commission held a meeting of fourteen different agencies and organizations involved in some aspect of flood control. This was possible because we focus on a basinwide or watershed basis -- even though many of those present had different geographical areas of responsibility. (With renewed emphasis at the Federal level to manage water resources on a watershed basis, why pull out the Federal government from an agency that is doing just that?) The outcome of that one meeting resulted in eleven recommendations which are already in the process of implementation and which will prevent or reduce the adverse impact of flooding in the Delaware Basin, and will reduce the amount of Federal "bailout" should a really big one occur.

As to avoided costs regarding a particular flood event, the DRBC's non-Federal sponsorship of the Corps' Port Jervis (N.Y.) Ice Jam Flood Prevention project is a classic example. The Corps may never have built the project if they had to deal individually with five different municipalities and three states. They only needed one non-Federal sponsor -- the DRBC.

Obtaining necessary permits and approvals for this project, which operation probably saved the Federal government up to $60 million in "bail-out" costs during this January's flood, could not have been achieved without a neutral Federal Commissioner's office. The National Park Service, U.S. Fish and Wildlife, and Corps all had involvement, and often different viewpoints. The value of an independent or neutral U. S. Commissioner to reconcile the often diverse Federal agency views on any proposed action before the Commission is absolutely vital. It is of great importance to craft a single Federal position on projects, rules, and policies so that timely and necessary decisions can be made.

There are many other examples which could be cited dealing with reconciliation of diverse Federal agency views related to such things as: water quality, fish & wildlife, wetlands, flood plains, minimum stream flows, navigation, national parks, and water supply.

Since Congress has mandated that the U. S. government be a party to the Delaware River Basin Compact and share its sovereignty with the four states in water resources management, having a neutral Federal presence, not a person representing any single agency, has been invaluable in defining "what is" the Federal position in exercising its sovereign's vote.

In general, the DRBC has been the model for water resources management in the country.

The DRBC has an ambitious water conservation program to reduce water demand which is an integral component of its strategy to manage water supplies in the four-state river basin. The program, which is recognized both nationally and internationally, has resulted in significant cost savings, environmental protection and improved drought preparedness. Among the results:

- Unaccounted-for water in the basin was reduced about 40 million gallons per day (mgd) between 1989 and 1993 -- a 15.7% cutback over a four-year period. The DRBC projects an additional savings of 42 mgd to 70 mgd by the year 2020 through implementation of its water conservation performance standards for plumbing fixtures and fittings. This reduction should save or defer from $250 million to $400 million in additional capital costs for water supply and wastewater treatment facilities -- projects which have been heavily financed by the federal government.

The DRBC recently adopted a regulatory package to protect the high water quality in two "scenic" reaches of the Delaware River from Hancock, N.Y., 125 miles downstream to the Delaware Water Gap. These river reaches were added to the National Wild and Scenic Rivers System by Congress in 1978. Water quality in this portion of the river is threatened by urbanization in a three-state, 4,000 square mile drainage area which is within several hours drive of about 20% of the U.S. population.

In crafting its regulations, the DRBC worked closely over an eight-year period with the National Park Service, the U.S. Environmental Protection Agency, state regulatory agencies, and business and environmental groups. Although the regulations are on the books, considerable time and money continue to be invested by DRBC staff to ensure the regulations are successfully implemented. At stake are two popular federal recreation areas which attract close to five million visitors each year and annually pump some $20 million back into the regional economy.

The DRBC also is engaged in a comprehensive program with the federal government and basin states to adopt regulations governing the discharge of toxic pollutants to the tidal Delaware River. The regulatory package was drawn up in response to 1987 amendments to the federal Clean Water Act which required states to designate water quality criteria for toxic pollutants and identify those stretches of waterways where the criteria were being exceeded. These criteria, policies and procedures are being cooperatively developed with not only agency input, but considerations from environmental groups, municipalities and eleven major industries.

The above has related to the value of the Commission to the Federal government. What are the pitfalls should the U. S. government pull out?

Any proposal to withdraw all funding for the Delaware and Susquehanna River Basin Commissions raises serious and unprecedented legal issues that could result in protracted and expensive litigation for the Federal government and the member states.

The United States is a signatory party to the Delaware and Susquehanna River Basin Compacts as a result of legislative enactments approved by the Judiciary Committees of the Congress and thereafter enacted into law. Although these Compacts preserve the power and the right of the Congress to withdraw the Federal government as a party to the Compacts, any decision to withdraw requires a revision of the enabling Legislation which authorized participation of the Federal government in these Compacts in the first instance.

The mere withdrawal of all Federal funding does not address nor does it resolve the fundamental question as to whether the Federal government, by such action, has actually withdrawn from all participation in the Compacts. Such action leaves in effect the provisions of the Compacts adopted by the Federal government and, more importantly, those provisions specifically inserted into the Compacts by the Congress.

For example, Federal law still empowers the President's representative; i.e., the Secretary of the Interior, to serve and vote on proposals and to bind all Federal agencies in the absence of a dissenting vote. The status of Section 15.1 of the Delaware River Basin Compact, which sets forth numerous Federal reservations as to Compact provisions, will require litigation to resolve. The provisions of 15.1(b), as one example, now limits the ability of the Delaware River Basin Commission to impose charges for water withdrawals or diversions from the Basin which were lawful in 1961 when the Compact was approved by the Congress. This immunity from water charges affects most major water users within the Delaware River Basin. Does the withdrawal of Federal funding permit the extension of DRBC water charges to pre-1961 users and is this what Congress intends? The status of such water withdrawals in terms of DRBC charges almost certainly will precipitate legal dispute.

The difficult questions posed by merely terminating funding can be settled by proper amendatory legislation. Whether the Congress wishes to totally withdraw from the Compacts or merely modify the extent of the Federal government's participation, these issues should first be addressed in the regular legislative process. Appropriate decisions with regard to funding should follow the resolution of these issues. A failure to address these issues legislatively may make illusory any savings to the Federal government in the short-term and could lead to results imposed by the courts that do not reflect the intent or the desires of either the Congress or the member states.

The Supreme Court in Texas v. New Mexico, 482 U.S. 124 (1987) and earlier decisions such as West Virginia ex rel. Dwyer v. Sims, 341 U.S. 22 (1951) and Petty v. Tennessee-Missouri Bridge Commissions, 359 U.S. 275 (1959), clearly establish the binding effect of Compact provisions upon all members and the obligation of the members to comply with those provisions. It is clear from these Supreme Court decisions that when a Compact is approved by Congress it becomes a law of the United States. While the Congress has the right to change the Compacts, the mere withholding of funding required under the Compacts does not constitute such a change. The Compacts themselves must first be revisited by the Congress and the basic policy decisions presented by withdrawal of participation must be addressed and resolved.

For reasons above, it is hoped that you, Mr. Chairman, and this Subcommittee will reconsider your position of last year and support both the requested modest funding of the DRBC and the vitally needed continuance of a Federal presence.

Presented by Gerald M. Hansler, Executive Director, Delaware River Basin Commission, to the Chairman and Members of the U. S. House Appropriations Committee on Energy and Water Development, March 6, 1996.

Mr. FRELINGHUYSEN. Thank you very much, gentlemen, all of you for being with us.

And copies of your entire testimony will be included in the record and we will leave the transcript open for the next couple of weeks to include any additional testimony.

Thank you for being with us.

I think you have raised some excellent points individually and jointly. And if the committee has some additional questions, we will get back to you.

Mr. COLE. Thank you.

Mr. FRELINGHUYSEN. Thank you very much.

WEDNESDAY, MARCH 6, 1996.

SOO LOCKS, CEDAR RIVER, GRAND MARAIS HARBOR

SURVEILLANCE OF NORTHERN BOUNDARIES AND ONTONAGON HARBOR

WITNESS

HON. BART STUPAK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN

Mr. FRELINGHUYSEN. Congressman Bart Stupak, thank you for your patience, representing the great State of Michigan. Thank you for being here.

Mr. STUPAK. Well, thank you, Mr. Chairman. Thank you for having me testify.

As you may know, my district has more coastline than any congressional district, except Alaska, but, of course, they only have one Don Young.

But let me just talk about some of the—well, he does a good job.

I have three of the five Great Lakes. The first project I would like to mention, Cedar River Project, last year you appropriated $200,000 to get our preconstruction and engineering design. We have got that all done. We would like to get $2.5 million to finalize that project. That should take care of the whole thing.

The appropriations should be placed in the Operational and Maintenance Fund of the Army Corps of Engineers to rehabilitate the breakwall. I have included language for that in my testimony.

Secondly, I would like to thank this committee. For the last 2 years you have helped us with the preconstruction, engineering and design for a new Soo Lock at the Soo Locks up in Soo–St. Marie. As you know, 60 to 70 percent of all the raw materials for steel go through that lock system. We are down to one lock.

In 1986, Congress authorized a new large replacement lock and we have begun the engineering and design. We have a little bit more work to go. We are asking for $25,000 so that the work of the Corps in that preconstruction and engineering and design can continue.

Next I am asking the subcommittee to fully fund an item called the Surveillance of Northern Boundaries. Last year, we cut it 25 percent and because of that the Corps has had stop funding certain studies and depth gauges in the Great Lakes. And I would appreciate if that surveillance line item could be funded. It is not that much money.

Next the Grand Marais Harbor, it is another one that we have a problem with the breakwall. We have studied this one to death. Two years ago the Senate put in 100,000 for the study. We have done the studies. We need approximately $3.5 million. Again, I have included language for your review.

Finally, I would like to take the opportunity just to mention Ontonagon Harbor. This committee has always helped out Ontonagon. We had an erosion problem. Modifications were made to the harbor by the Army Corps.

Unfortunately, it looks like the problem may have gotten worse instead of better. So I will be back in the future asking—once we get the engineering design done, to try to correct the problem, I will be back in the future. I just wanted the courtesy to alert this committee of the pending problem and that I may be back in the future.

With that, Mr. Chairman, thank you.

If you have some questions, I will be happy to answer on any of those projects.

[The statement of Mr. Stupak follows:]

TESTIMONY OF CONGRESSMAN BART STUPAK
BEFORE THE
ENERGY AND WATER SUBCOMMITTEE
OF THE
HOUSE APPROPRIATIONS COMMITTEE
March 6, 1996

Mr. Chairman, I appreciate the opportunity to be here today to talk to you about some projects in my district. As you may know, my district has more coastline than any other Congressional district except Alaska.

The First project, I'm asking the committee to continue funding for the Cedar River project. As you know the committee appropriated $200,000 last year in construction funds for this project and I am asking the committee to increase that appropriation to $2.5 million dollars. The appropriation should be placed in the direct funds to the operational and maintenance budget of the Corps to rehabilitate the breakwaters. I have also included some proposed language for the Subcommittee to review.

Second, I'd like to thank the committee for providing the initial funding for the last two years to begin the preconstruction engineering and design of a new Soo Lock system.

The Soo Locks is made up of four locks that play a vital role in the movement of freight through the Upper Great Lakes system. In 1991, 88.3 million tons of freight moved through the Soo Locks. Since the mid-1800s, the total tonnage that has moved through the Soo Locks has been almost eight billion tons. 29 lake vessels are restricted to the existing large lock - the Poe -because of length and/or beam dimensions. These vessels comprise two-thirds of U.S. lake fleet capacity.

In 1986, Congress authorized the construction of a new, large replacement lock and, as I said, last year, this committee approved $200,000 to begin the engineering and design. The old and outmoded Davis and Sabin locks are in jeopardy of structural failure and cannot be economically repaired. Furthermore, if the Poe Lock is suddenly unusable for any reason, there are no reasonable transportation alternatives. The new lock will be built as a replacement lock.

We must build this new lock. So I'm here today to ask the committee to appropriate another $250,000 so the work the Corps of Engineers can complete the study they started two years ago.

Next, I am asking the Subcommittee to fully fund the line item for the Surveillance of Northern Boundaries. Last year the Subcommittee reduced the amount by 25% from the President's Budget. Unfortunately, the Corps has to stop funding certain studies and reading depth gauges in the Great Lakes. I would ask that the surveillance line item be fully funded this year.

I want to discuss is Grand Marais Harbor. The existence of the Grand Marais Harbor was first mentioned in 1660 in the journals of two French travelers and it first appeared on a map prepared by two other Frenchmen in Paris, France in 1745. Since the construction of the original breakwall in 1894, there has been little or no maintenance to the harbor. The harbor is filling with sand at a rate of 100,000 cubic yards each year. Without a breakwall, the harbor will be totally destroyed. In 1978 and again in 1992, Congress directed the Corps of Engineers to review the situation at Grand Marais.

Two years ago, the Senate energy and water appropriations bill included $100,000 to fund an economic study of the harbor. We've studied this problem to death. What we need is action. Therefore, I am asking the committee to include language in the bill directing the Corps of Engineers to construct a breakwall. I have attached proposed language to my statement and ask it be included in the record.

Finally, I would like to take this opportunity to mention a project that will need funding in the FY 1998. Due to high waves and wind conditions, Ontonagon Harbor has experienced over $300,000 dollars of damage due to erosion. There is a strong possibility that this erosion problem was caused by recent modifications the Corps of Engineers made to the harbor. Currently, the Corps is studying the problem and hopes to have the answers in April. I plan on making a request in next year's Energy & Water Appropriations to implement the results of their study, but I wanted to take the courtesy to alert the Committee to this problem.

Mr. Chairman, thank you for this opportunity to testify today. I appreciate any help that you and the Subcommittee can provide for these necessary projects.

SUGGESTED LANGUAGE TO BE INCLUDED IN THE FISCAL YEAR 1997 ENERGY AND WATER RESOURCES APPROPRIATIONS BILL

...;Providing further, That with $2,500,000 of funds herein appropriated, the Secretary of the Army, acting through the Chief of Engineers, is directed to repair the East breakwater of the authorized Cedar River Harbor, Michigan project, at full Federal expense.

...; Providing further That with $3,500,000 of the funds herein appropriated the Secretary of the Army, acting through the Chief of Engineers, is directed to replace the deteriorated timber pile breakwater with a shorter breakwater as recommended by the 1978 reconnaissance report, at full Federal expense, at the authorized Grand Marais, Michigan project;

Mr. FRELINGHUYSEN. Thank you for your testimony.

I know on behalf of Mr. Myers and the Ranking Member Bevill, we really thank you for being here, for your patience in waiting through all the river basins there prior to your testimony.

Thank you very much.

Mr. STUPAK. No problem.

Mr. FRELINGHUYSEN. Thank you very much for being here.

Mr. STUPAK. Thank you, sir.

WEDNESDAY, MARCH 6, 1996.

WYOMING VALLEY LEVEE RAISING PROJECT

WITNESS

HON. PAUL E. KANJORSKI, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA

Mr. FRELINGHUYSEN. Congressman Kanjorski, thank you, from the great State of Pennsylvania.

Mr. KANJORSKI. Thank you, very much, Mr. Chairman.

Mr. FRELINGHUYSEN. Probably the one Member of Congress who was here as a page, along with Congressman Emerson, when my father was a Member of Congress. So it is an honor to have you before me. I didn't think this would ever occur.

Mr. KANJORSKI. I had the honor of serving with your father. The fact that I have two generations, that makes me an old man.

Mr. FRELINGHUYSEN. No, it doesn't.

Mr. KANJORSKI. Mr. Chairman, I appear today in support of the Wyoming Valley Levee Raising Project. It has been an ongoing public works project since 1972, where flood Agnes caused a little over $2 billion of damage in the Wyoming Valley of Pennsylvania.

And over the last 24 years, although President Nixon had promised we would never suffer that disaster again by intending to raise the levee system in the Wyoming Valley to avert a catastrophe that would be caused by the level of flooding in flood Agnes, nothing has been done except that we authorized the construction of the levee by the Congress in 1986, have been designing one, and finally in the last 3 weeks the local sponsoring authority, the county commissioners and the Commonwealth of Pennsylvania agreed to enter into an agreement with the Federal Government to begin construction.

They did that about 2 weeks after the most recent floods in Pennsylvania, and the Wyoming Valley was spared about $6 billion worth of damage by inches.

And it is now 24 years since the original flood. It is now at the point where the authorization is in place. First year construction was appropriated last year. There will be a request by the Corps of Engineers for appropriations this year to move this project along. So within 4 or 5 years, the levee system can be constructed and any future flooding that occurred at the level this year, or Agnes, will not cause the tremendous property damage and loss of life that we experienced in 1972.

So I am here today to urge the committee to be as supportive as they have in the past and to see this project through so that we honor the commitment of President Nixon in 1972 and every President since that day. But after a quarter of a century, it is time that the United States performs to prevent the disaster.

It is something that—and I—this last flood required the evacuation of more than 100,000 people in the middle of the night. And how long we can last as an entity and maintain our economic base with that type of potential catastrophe facing us is really indeterminate at this point, but I think not on the positive side.

So I would urge the committee in the strongest terms to support the request of the Corps of Engineers on the second year appropriation of this project.

[The statement of Mr. Kanjorski follows:]

TESTIMONY OF CONGRESSMAN PAUL E. KANJORSKI
BEFORE THE
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT APPROPRIATIONS
CONCERNING THE WYOMING VALLEY LEVEE RAISING PROJECT
MARCH 6, 1996

Mr. Chairman, I am pleased to have the opportunity to speak to your subcommittee today about the Wyoming Valley Levee Raising Project. I am very appreciative of your past support for this project which will protect the citizens of the Wyoming Valley in Northeastern Pennsylvania from the recurrence of a flood the magnitude of which was caused by Hurricane Agnes in 1972. In order to keep the ongoing construction of the Levee Raising Project on schedule, I ask that you include in the Energy and Water Development Appropriations Act for Fiscal Year 1997 the full amount allocated for the project in the President's Civil Works Budget for Fiscal Year 1997.

On January 20, 1996 the Susquehanna River rose far over its natural banks and peaked at nearly thirteen feet above flood stage. The night before the river crested, emergency management officials, fearing that the rapidly rising flood waters would top the levees, ordered the mandatory evacuation of approximately 100,000 people living in the City of Wilkes-Barre and neighboring communities in the Wyoming Valley. Once again, the nerves of the citizens of the Wyoming Valley were tested as people wondered if this would be the year that the Agnes disaster of 1972 was repeated.

Fortunately, the flood waters stopped just two feet from the top of the existing federal levee system in Wilkes-Barre and the levees held firm until the water receded to its normal level. While a major disaster was averted, many low-lying communities were severely flooded as thousands of homeowners experienced basement and first floor flooding. As a result, President Bill Clinton declared all of the counties in Northeastern and Central Pennsylvania as major disaster areas.

Mr. Chairman, we must make good on the federal government's long-standing promise to provide the citizens and communities of the Wyoming Valley with the flood control protection necessary to prevent a recurrence of an Agnes-level flood. Members of your subcommittee may recall that the Agnes flood caused approximately $1 billion in damages (about $2 billion in present dollars) as more than 25,000 homes and nearly 3,000 business were badly damaged or ruined, hundreds of businesses and five major bridges were destroyed, and about 60,000 people were temporarily, and for some permanently, left without employment. All this could happen again until the Levee Raising Project is completed.

Last year, your subcommittee provided $4.3 million to enable the U.S. Army Corps of Engineers to begin the construction of the Levee Raising Project. I am pleased to report that after more than 23 years of pre-construction, engineering, and design work, the Army Corps is on schedule to break ground on the Levee Raising Project later this year. In order to keep the ongoing construction work on schedule, I ask that your subcommittee allocate the level of funding included in the President's Civil Works Budget for Fiscal Year 1997. While the President's Civil Works Budget has not yet been officially released, it is my understanding that the Army Corps has the capability to perform approximately $15 million in construction work during Fiscal Year 1997.

Once again, I would like to thank you and other members of your subcommittee for supporting the Levee Raising Project which is vitally important to hundreds of thousands of citizens in my congressional district. With your help, the Levee Raising Project will be completed as scheduled within the next four years and the communities of Wyoming Valley will forever be protected from a recurrence of an Agnes-level flood.

Mr. FRELINGHUYSEN. Thank you for your testimony.

We will do our level best to work with you.

I really appreciate it. Thank you very much.

Mr. KANJORSKI. Thank you.

Mr. FRELINGHUYSEN. I would like to clarify for the record that without objection, testimony and supplementary information will be received and reviewed by the committee, although it will not be possible to keep the formal hearing record open beyond today.

We stand adjourned.

Thank you very much, everybody.

[The following statements were submitted for inclusion in the record:]

TESTIMONY OF THE
ASSINIBOINE AND SIOUX TRIBES OF THE
FORT PECK RESERVATION, MONTANA
BEFORE THE HOUSE APPROPRIATIONS COMMITTEE
SUBCOMMITTEE ON ENERGY AND WATER
MARCH 6, 1996

A. THE FORT PECK RURAL, MUNICIPAL AND INDUSTRIAL WATER SUPPLY PROJECT

The Assiniboine and Sioux Tribes seek the Committee's support to ensure that a safe and reliable Municipal, Rural and Industrial water supply will be available throughout our Reservation and our Region. The Fort Peck Sioux and Assiniboine Tribes respectfully request funds to continue planning of the Fort Peck Sioux and Assiniboine Municipal, Rural and Industrial Water (FPSAMRI) Project in the amount of $210,000 from the Bureau of Reclamation's General Investigations budget.

The Tribes would like to thank the Committee for its past support of this Project. The funds previously appropriated funded the Needs Assessment and the Feasibility Study for this Project. Both of these reports were important steps in the process of realizing this Project

The funds requested for FY 1997 will be used to conduct the final planning studies of the Project within the Fort Peck Indian Reservation and to incorporate planning studies for the off Reservation communities into a *Final Engineering Report*. The Fort Peck Tribes urge the Subcommittee to inquire of the Bureau of Reclamation respecting the capability of the Tribes to effectively utilize the FY 1997 funds.

1. NEEDS ASSESSMENT

As the Committee knows, the Needs Assessment completed by the Tribes and the Bureau of Reclamation found significant problems with the existing water sources on the Fort Peck Reservation.

Specifically, the Needs Assessment documented the deficiencies, both in quantity and quality, of the water supply for Indian and non-Indian residents on the Reservation in northeastern Montana. This Needs Assessment also examined the current and expected future water needs of the Reservation. The study confirmed the need for an MR&I project for the Fort Peck Reservation.

As the Needs Assessment documented, we are plagued by major drinking water problems on the Reservation - including both an inadequate supply and unacceptable quality of our water. Our existing water sources are of extremely poor quality. Sulfate levels in Fort Kipp exceed the standard by four times. The iron levels in Poplar, Brockton, Frazer and Fort Kipp are one and half to five times the standard. The sodium levels are four to twenty times greater than the Missouri River, the source of the proposed water system. This has significant impacts our residents with high blood pressure. The Groundwater often exceeds the standards for total dissolved solids, iron, sulfates, nitrates, and in some cases for selenium, manganese, and fluorine. Bacterial contamination of municipal water distribution systems has also been a recurring problem. Moreover, one of our aquifers has been destroyed by brine injections, due to oil production on the Reservation.

Several of our local water systems have had recent occurrences of biological contamination. As a result, the Indian Health Service and the Tribal Health Office have issued several public health alerts encouraging users to boil the water before drinking it. In several of the Reservation Communities, the residents buy bottled water at a cost of at least $75 a month. Those who cannot afford to buy bottled water must continue to use the existing water source. In short, the Needs Assessment confirmed that a new water system from the Missouri River, a safe and plentiful water source at our southern boundary, is needed to protect the health of our people.

The quality of our water is comparably poorer than that of the other Projects that the Subcommittee is now assisting. Table 1 compares water quality of communities within the proposed Fort Peck Project Area with water quality of communities in other Projects authorized or pending before Congress. As Table 1 discloses, the general chemical quality of the water as measured by total dissolved solids and sulfates is comparable in the Fort Peck area with other on-going or pending projects.

2. FEASIBILITY STUDY

Once the Needs Assessment was completed, the Tribes requested the Bureau of Reclamation to undertake a Feasibility Study of constructing a Reservation wide MR&I project. This study showed that a regional MR&I water supply system using Missouri River water as the supply source is a feasible alternative for addressing the water quality problems that currently exist. Such a project would bring safe and reliable water to rural residents of our Reservation not currently served by a public water system.

The Tribes plan to meet their MR&I needs with a Reservation-wide piped distribution system to supplement or replace existing water sources. This type of system has been successfully used in South Dakota (the WEB project) and brings economies of scale to reduce project construction and operation and maintenance costs. Our design population of 19,902 persons (13,900 within the reservation) can be served with relatively short pipeline distances extending 75 miles from the treatment plant at the most distant locations. Most of the demand lies within a 30 mile distance from the treatment plant. (See figure).

3. OFF-RESERVATION COMMUNITIES AND RURAL WATER USERS

Because all residents of this area have extremely poor water quality, several off-Reservation communities have significant interest in this Project. Communities around the eastern, western and northern boundaries of the Fort Peck Indian Reservation rely primarily on groundwater, which is poor and comparable to groundwater supplies on the Fort Peck Indian Reservation. The best way to address the concerns of our off-Reservation neighbors is to include their communities in our Project. Including these communities as initial participants in this Project, would realize savings for them, the State of Montana, and the Federal Government. The requested funds will assist us in developing a cost effective project with a cost sharing formula for off-reservation facilities that is acceptable to local communities and Congress. We hope that ultimately this Project will not only improve the health and the economy of the entire region, but also strengthen our relationship with our neighboring communities.

4. DEVELOPING A FINAL COST REPORT

The Tribes' initial cost report concludes that the total Project cost to serve the entire Reservation and sized to carry off-reservation water demands is $101 million. This amount includes the cost ($15 million) of facilities to carry water to meet off-reservation municipal, rural and industrial demands. Assuming a cost share of 75% federal and 25% local under the Safe Drinking Water Act the local cost share would be less than $4 million.

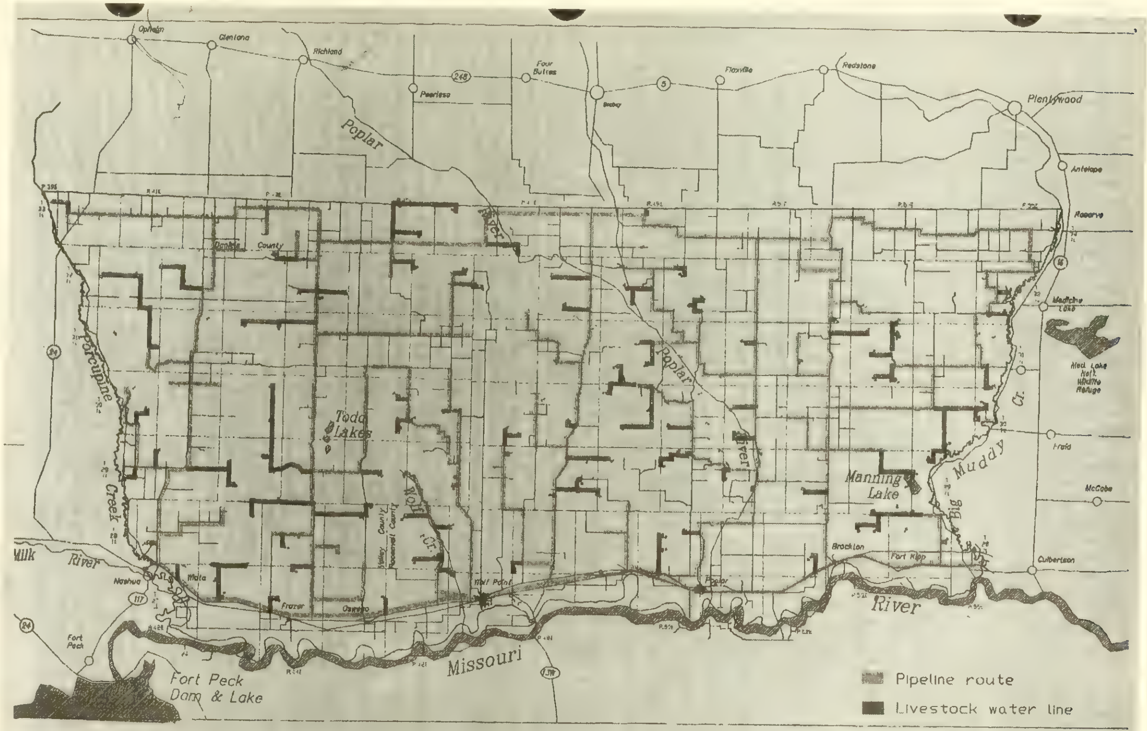
The cost of annual operation and maintenance of the facilities of the Fort Peck Tribes to deliver water to off-reservation communities is estimated at $1.12 per thousand gallons. Off-reservation users will have additional costs per thousand gallons to reflect the cost of operating and maintaining off-reservation transmission and distribution facilities. Those costs are not yet determined. The $210,000 requested by the Tribes will enable the Tribes to finalize this cost analysis. When the total is determined, we are confident that it will compare favorably with Mni Wiconi costs of $1.46 per thousand gallons.

5. CONCLUSION

We are now working with the Montana delegation to introduce legislation to authorize the construction of this Project. The assistance of the Subcommittee with FY 1997 appropriations in the amount of $210,000 will go far in assisting the tribes in this worthwhile project. Not only will the drinking water supplies of the region be markedly improved, the tribal membership will benefit from the employment and earnings during construction, and we can work side-by-side with our northeast Montana neighbors to develop a quality project for the improvement of the health and economy of all.

Table I
WATER QUALITY INDICATORS OF COMPARABLE PROJECTS
SULFATES AND TOTAL DISSOLVED SOLIDS MARKED FROM POOREST TO BEST

Project	Community	Sulfate 1mg/1	Project	Community	Total Dissolved Solids (mg/1)
Lewis and Clark	Upper Limit	1,500	Fort Peck	Fort Kipp	2,731
Mni Wiconi	Rolishoo	1,139	Lewis and Clark	Upper Limit	2,603
Fort Peck	Fort Kipp	1,120	Mni Wiconi	Red Shirt	2,331
Mni Wiconi	Red Shirt	1,080	Mni Wiconi	Reliance	2,051
Mni Wiconi	Murdo	1,042	Mni Wiconi	Murdo	1,701
Mni Wiconi	Kannebac	954	Mni Wiconi	Kannebec	1,763
Mni Wiconi	Prasho	644	Mni Wiconi	Prasho	1,393
Lewis and Clark	Lower Limit	538	Fort Peck	Poplar	1,389
Fort Peck	Frazer	498	Fort Peck	Frazer	1,103
Mni Wiconi	Horse Creek	410	Lewis and Clark	Lower Limit	1,178
Mni Wiconi	Wakpanni Lake	398	Mni Wiconi	Wakpanni Lake	1,125
Fort Peck	Brockton	212	Mni Wiconi	Horse Creek	883
Fort Peck	Poplar	103	Fort Peck	Brockton	741
Mni Wiconi	Pine Ridge Village	70	Mni Wiconi	Pine Ridge Village	436



FORT PECK INDIAN RESERVATION
Entire Reservation System

Figure ES.3

CAP Central Arizona Project

MEMO

TO: Assistant Secretary of the Interior
for Water And Science

FROM: Central Arizona Water Conservation District

DATE: January 24, 1996

RE: NEPA Review of Central Arizona Project Assignments

This memorandum addresses whether the Bureau of Reclamation may require Central Arizona Project ("CAP") subcontractors to prepare environmental assessments before Reclamation approves the transfer of CAP entitlements between subcontractors. In light of the law and facts discussed below, the preparation of environmental assessments in this context is both unnecessary and inappropriate.

The Proposed Transfers

Central Arizona Project subcontractors located outside the Central Arizona Water Conservation District's ("CAWCD") three-county service area can only receive the benefits of their subcontracts by entering into an exchange agreement with another entity. Direct water-for-water exchanges with downstream users have proven impossible due to a variety of reasons. As a result, six of these "exchange subcontractors"--Prescott, Nogales, Cottonwood Water Works, Camp Verde Water System, Rio Rico Utilities, and Mayer Domestic Water Improvement District--have reached agreement with the City of Scottsdale to assign their CAP subcontracts to Scottsdale in exchange for funds that would be used to develop alternative water supplies. Scottsdale has also agreed to acquire the CAP contract of the Yavapai-Prescott Indian Tribe.

The exchanges are structured much like a transaction completed in 1994 whereby the Town of Payson assigned its CAP subcontract to Scottsdale in exchange for funds that are to be used exclusively for development of an alternative water supply for Payson. In the case of Camp Verde, Cottonwood and Mayer, the monies raalized by the exchange subcontractor will be deposited into a trust account and may be used only to plan, design, construct, acquire and/or develop an alternative water supply. The Arizona Department of Water Resources ("ADWR") will monitor and control expenditures from the trust fund and the development of alternative water supplies. The United States has no control over the development of alternative water supplies or expenditures from the trust funds. Any trust funds not used or committed within twenty-five years or in excess of those needed for an alternative water supply will be remitted to CAWCD for application against its repayment obligation to the United States.

The Nogales and Rio Rico exchanges differ only with respect to the disposition of the proceeds. Nogales will use its share of the proceeds of the exchange immediately to repay bonds that were previously issued to acquire the Guevavi Ranch property and appurtenant surface water rights in the Santa Cruz River. The Guevavi Ranch farm land has already been retired and an application has been filed with ADWR to transfer the water rights. Nogales currently leases the property and water rights pursuant to an agreement with the development authority that issued the bonds used to acquire the Guevavi Ranch. The only change that will take place as a result of the exchange agreement with Scottsdale is that title to the Guevavi Ranch will vest in the City of Nogales.

Rio Rico, acting through a qualified intermediary, will use the proceeds of the exchange to acquire like-kind property, such as groundwater and senior surface water rights appurtenant to agricultural lands within the Santa Cruz Active Management Area. The property to be acquired has been identified by Rio Rico and approved by ADWR. Any funds not used to acquire like-kind property will be returned to CAWCD for application against its repayment obligation. Again, the United States has no control over how the proceeds of the exchange are used.

The Prescott and Yavapai-Prescott Indian Tribe exchanges are designed to comply with the Yavapai-Prescott Indian Tribe Water Rights Settlement Act of 1994 (the "Yavapai-Prescott Act"). The funds accruing to Prescott and the Tribe will be deposited into the Verde River Basin Water Fund established by the United States pursuant to section 106 of the Yavapai-Prescott Act. Under the provisions of the Act, these funds would then be transferred from the Verde River Basin Water Fund to separate trust accounts maintained by Prescott and the Tribe and administered in accordance with separate contracts with the United States. Expenditures from the trust funds would be audited by the United States and Prescott or the Tribe could be required to repay, with interest, any trust funds used for unauthorized purposes.

CAWCD provided Reclamation with drafts of the proposed exchange agreements for Camp Verde, Cottonwood, Nogales and Prescott in October 1994. At the same time, CAWCD informed Reclamation that Rio Rico planned to complete a similar exchange. Because of the deadlines established in the Yavapai-Prescott Act, the target date for completing the exchanges was December 1995. In November 1995, however, Reclamation announced that, as a prerequisite to federal approval of the transactions, it would require Scottsdale and five of the exchange subcontractors to complete (and pay for) environmental assessments ("EA") to facilitate Reclamation's review of the exchanges pursuant to the National Environmental Policy Act ("NEPA"). This EA process is expected to take six months or more to complete. Interestingly, Reclamation has concluded that no EA is needed for the Prescott and Yavapai-Prescott Indian Tribe exchanges. Exempting Prescott and the Yavapai-Prescott Indian Tribe from the EA process raises serious doubts about whether an EA relating to the other Verde River exchange entities would have any meaning or utility.

The Bureau of Reclamation Has Already Complied with NEPA

The Bureau of Reclamation completed a programmatic Environmental Impact Statement ("EIS") on the overall CAP in 1972. Since then, the Bureau has issued numerous site-specific environmental impact statements on various CAP features, including the Navajo Project; the Havasu Intake Channel, Havasu Pumping Plant, and Buckskin Mountains Tunnel; the Granite Reef Aqueduct; the Granite Reef Aqueduct Transmission System; the Salt-Gila Aqueduct; the Tucson Aqueduct; and the Regulatory Storage Division of the CAP. Another site-specific EIS, completed in 1982, considered the environmental impacts from CAP water allocations and water service contracting.

The 1982 EIS on water allocations and water service contracting evaluated the environmental impacts caused by land use changes resulting from CAP water availability or nonavailability and the impacts due to construction of CAP distribution systems. In particular, the EIS examined the site-specific impacts of allocating varying amounts of CAP water to Camp Verde, Cottonwood, Mayer, Nogales, Rio Rico, and Scottsdale. For Camp Verde, Cottonwood, Mayer and Nogales, the EIS concluded that whether or not CAP water was made available to those communities would have no affect on their anticipated population growth. Allocating CAP water to those communities and Rio Rico also was expected to have little or no adverse impacts on biological and cultural resources.

The 1982 EIS also considered the environmental impacts of Scottsdale receiving varying amounts of CAP water. Again, the Bureau concluded that the amount of water allocated to Scottsdale would have no effect on the City's population growth. The EIS also found no difference in impacts to biological or cultural resources among any of the allocation alternatives, noting that biological impacts would range from the moderate disruption of biotic communities to the total destruction of desert habitats.

In general, the 1982 EIS projected that delivery of CAP water to central Arizona under any of the alternative allocation schemes would result in: (1) a four percent increase in overall population growth; (2) the loss of about 35,000 acres of irrigated farmland to urban development; and (3) the urbanization of about 165,000 acres of undeveloped desert land. These (and other) environmental impacts identified in the EIS were deemed acceptable to the

Secretary, who issued his decision allocating CAP water to each of the exchange entities and Scottsdale on March 24, 1983.

The proposed CAP exchanges will not increase the amount of CAP water allocated to municipal and industrial ("M&I") users or to central Arizona generally. Thus, the exchanges cannot reasonably be expected to result in any impacts to the environment that were not already considered in the 1982 EIS.

NEPA Does Not Apply to the Actions of the Exchange Subcontractors

NEPA applies only to major federal actions that significantly affect the quality of the human environment. 42 U.S.C. § 4332. In determining whether an action is "federal" for purposes of NEPA, courts look at whether the action is federally funded and the extent of federal involvement and control. Sierra Club v. Penfold, 857 F.2d 1307, 1314 (9th Cir. 1988). "Where federal funding is not present, [courts have] generally been unwilling to impose the NEPA requirement." State of Alaska v. Defenders of Wildlife, 591 F.2d 537, 541 (9th Cir. 1979) (NEPA did not apply where no federal funds were to be spent and no federal agents were employed in carrying out the action); see Enos v. Marsh, 769 F.2d 1363, 1371-72 (9th Cir. 1985) (NEPA did not apply to shoreside facilities planned by state as part of federal harbor construction project where federal government exercised no control over the planning and development of the shoreside facilities and the facilities were entirely state-funded); Central Arizona Irrigation & Drainage District ["CAIDD"] v. Lujan, 764 F. Supp. 582, 597 (D. Ariz. 1991) (same).

Each of the exchange subcontractors has developed or will develop plans for an alternative water supply to replace the CAP allocations being transferred to Scottsdale. Those plans will be made and implemented entirely by local entities. The federal government has no control over the planning, development or supervision of the alternative water supplies. The alternative water supplies will be financed entirely with money received from Scottsdale as a result of the exchange or provided by the exchange entity itself--no federal funds are involved. Indeed, the exchange agreements expressly provide that the expenditure of funds in developing alternative water supplies "shall not constitute an expenditure of federal funds, exercise of federal authority, or other form of federal action affecting the environment." Under these circumstances, development of the alternative water supplies cannot be deemed a "federal" action subject to review under NEPA.

Nor can Reclamation's "approval" of the exchanges transform locally funded and controlled activities into "federal" actions for purposes of NEPA. See New Jersey Dep't of Envtl. Protection & Energy v. Long Island Power Auth., 30 F.3d 403, 417 (3d Cir. 1994) (holding that the Coast Guard did not violate NEPA by not performing an environmental assessment on its approval of a private party's planned barge shipments: "Federal approval of a private party's project, where that approval is not required for the project to go forward, does not constitute a major federal action"); Friends of the Earth, Inc. v. Coleman, 518 F.2d 323, 328 (9th Cir. 1975) (FAA approval of airport layout plan did not trigger NEPA requirement as to state-funded construction of terminal and parking garage described in plan). Although the United States must approve the exchanges, the exchange subcontractors do not need U.S. approval to develop alternative water supplies. Because those projects can go forward without federal approval, will not use any federal funds and will not be subject to any form of federal control, they are not major federal actions subject to NEPA.

This conclusion is well supported by the case law that has interpreted the scope of NEPA in the context of the CAP. In Animal Defense Council v. Hodel, 840 F.2d 1432 (9th Cir. 1988), the court held that Reclamation was not required to conduct a NEPA analysis on the effects of groundwater recharge of CAP water because "recharge is not part of the federal project." The court reasoned that the decision to recharge CAP water was inherently a local one to be made by the CAP water user, and that Reclamation had no control over such activities. Similarly, the alternative water supply programs planned and developed by the exchange entities are not part of the federal CAP and are no responsibility of Reclamation.

Recharge of CAP water also was the focus of CAIDD v. Lujan, 764 F. Supp. at 596-97. There the court held that Reclamation did not need to prepare an EA before agreeing to add a provision to its Amended Master Repayment Contract with CAWCD that allowed M&I users to recharge a portion of their CAP entitlements consistent with Arizona law. Although the federal action in adding the recharge provision allowed CAP users to proceed with recharge projects, the court held that such recharge projects were not subject to NEPA review because they would be performed without federal funds or federal supervision.

> "In determining 'major federal action,' the Court will look at 'the nature of the federal funds used and the extent of federal involvement.' In the present case, the United States does not involve itself with the recharge project--it provides no funding for recharge and it provides no federal supervision of the recharge projects. . . . 'Where federal funding is not present, we have generally been unwilling to impose the NEPA requirement of filing an EIS.' In the present case, no federal funds are used to develop the recharge programs or to actually recharge water. It is true that the water that will be recharged is coming from a federally-funded project, the CAP, but the relationship between the CAP

> itself and the recharge projects is merely a 'complementary' but 'distinct' function.
>
> Furthermore, the federal government is not involved in supervising the recharge projects. As previously stated, the Master Contract states that the federal government assumes no responsibility for the use of the CAP water once it is diverted from the CAP system. Hence, because there is no federal funding nor supervision of the recharge project, groundwater recharge is not 'major federal action.' Hence, NEPA does not require an environmental impact statement nor environmental assessment."

764 F. Supp. at 597 (citations omitted).

The alternative water supply projects at issue here, like the recharge projects discussed in CAIDD v. Lujan, do not involve any federal funding or supervision. Although funding for the alternative water supply projects will be obtained through the CAP subcontract assignments, the relationship between the alternative water supply projects and the CAP is merely complementary. The alternative water supply projects are distinct actions that do not require federal approval in and of themselves. Thus, NEPA does not apply to the exchange subcontractors' development of alternative water supplies.

Ironically, Reclamation has concluded that it need not prepare an environmental assessment for the Prescott and Yavapai-Prescott Indian Tribe exchanges, even though those are the only exchanges in which the federal government retains any control over the funding and development of an alternative water supply. Clearly, if no environmental assessment is necessary for Prescott or the Tribe, then none should be required for the other exchange entities.

No Further NEPA Analysis is Required for Scottsdale

As shown above, the environmental impacts of providing CAP water to Scottsdale were reviewed in the EIS Reclamation prepared in 1982. Following the EIS, Reclamation reviewed Scottsdale's specific plans for taking and using CAP water and determined that "no additional environmental analysis [was] necessary." Thus, Reclamation informed Scottsdale that the "[NEPA] compliance process is complete for your CAP subcontract." [Letter from N.W. Plummer, Regional Director, to Herb Drinkwater, Mayor, dated October 29, 1984]

Since 1984, Scottsdale has acquired the CAP allocations of North Valley Water Company, Ironwood Water Company, Carefree Ranch Water Company and Desert Ranch Water Company. Scottsdale also acquired the Town of Payson's CAP allocation through an exchange agreement virtually identical to those proposed here. To effect these acquisitions, Scottsdale's CAP subcontract has been amended four times, increasing the City's entitlement from 19,702 acre-feet to 26,576 acre-feet per year. In none of those instances did Reclamation require Scottsdale to prepare an environmental assessment analyzing the impacts of increasing the City's CAP entitlement. Instead, Reclamation fulfilled its obligations under NEPA by relying on the 1982 EIS and its subsequent review of Scottsdale's plans for taking and using CAP water. Those plans will not change as a result of the current exchanges, and Reclamation should follow the same NEPA clearance procedure it has used in the past. There is no need and no basis for requiring an environmental assessment for Scottsdale's acquisition of the CAP allocations of the exchange subcontractors.

The Problem Presented for Future CAP Transfers

A number of CAP subcontractors within CAWCD's three-county service area have expressed interest in assigning their CAP subcontracts to other entities. In many cases, the subcontractors are not presently receiving CAP water and cannot afford to pay the continuing capital charges required under the subcontracts. ADWR and CAWCD are in the process of developing policies to govern the transfer of CAP entitlements among water users located within CAWCD's service area.

Reclamation's decision to require an EA for the proposed exchanges establishes a troublesome precedent for future CAP transfers. Under Reclamation's reasoning, any transfer of a CAP entitlement from one location to another--even if the new location is immediately adjacent to the original subcontractor's service area--will require preparation of an EA. That will mean added expense and months of delay in approving everyday transfers of CAP entitlements.

Whether it is appropriate to move CAP allocations from outlying areas such as Camp Verde and Nogales to Scottsdale is inherently a matter for the State of Arizona to decide. Likewise, it is the State's province to determine whether a CAP entitlement should be transferred from one location to another within CAWCD's service area. The wisdom of the State's decision in such matters should not be questioned by the United States under the guise of an environmental assessment. Reclamation's NEPA review with respect to the allocation of CAP water in Arizona is complete, and the transfer of CAP allocations from one subcontractor to another should be categorically excluded from further review.

566:259nepa.mem

Written Testimony For The Record
Before The Subcommittee for Energy and Water Development
Appropriations Committee/U.S. House of Representatives
Regarding the "Wallisville Lake Project, Texas"

Presented by:
The Lone Star Chapter of the Sierra Club
Texas Committee on Natural Resources
Environmental Defense Fund

March 6, 1996

We, the undersigned, appreciate the opportunity to present collectively our concerns about continued funding for the Wallisville Reservoir Project at the mouth of the Trinity River - the major source of freshwater inflows, nutrients and sediments for the Galveston/Trinity Estuarine System (which was designated as an Estuary of National Significance in 1987). Our opposition to continued funding of this project is based on issues of fiscal soundness, environmental impacts, local control, and questionable need. We feel that in an atmosphere of severe budget constraint, Congress and the U.S. taxpayers can ill-afford to continue to throw precious funds (although in the context of the US budget, $21.5 million to complete construction and $400,000/year for operations is insignificant) towards such a historically controversial, costly, and ultimately unnecessary Project. At the very least, we would hope that Congress would delay appropriating any funds for the ensuing fiscal year so that the legitimate concerns that haunt the Wallisville Project may be addressed by those involved and affected. As well as deferring to local resolution, this would also ensure that your appropriations will not be wasted in hindsight, as has been the case for the $35.4 million that has been expended over the past 30 years on components of the Project that have since been abandoned. As an alternative, continued funding for this Project should target the reclamation and mitigation of the Trinity Delta as impacted by those existing structures associated with previously abandoned versions of the Project.

The Wallisville Project was originally conceived as a saltwater barrier in the 1950s. It has gone from a saltwater barrier to a 19,700 surface acre multi-purpose reservoir (in order to secure federal funding) and now back to a saltwater dam again. Some of the underlying assumptions about the need for and benefits of this project have been misrepresented or misunderstood. We hope to resolve these matters to satisfy the needs of the City of Houston, the Lower Trinity River water users, and the Galveston/Trinity Bay System, while at the same time preventing the needless waste of tax dollars. We have been anxious to pursue resolution of these matters over the years in a variety of forums, the federal government's continued funding and building of this project without local participation, support or permits, however, creates an unfavorable atmosphere for thoughtful resolution. We hope that you give the citizens of Texas and the Galveston Bay area the opportunity to determine the course of this nationally significant area.

Please consider the following list which represents a sampling of our concerns over the Wallisville project. It does not detail the complex water rights issues that are at the heart of this project and the controversy over it. We would be happy to further assist you in understanding the complex and subtle issues associated with this long controversial project.

- $26.5 million would need to be spent in addition to past expenditures to complete Wallisville (60% of the project remains undone).
- $300,00 to $400,000 would be required for annual operations for the Project.
- The federal government must absorb an 85% of the project's design and construction tab, leaving only 15% of the costs for the local sponsors to pick up.
- The federal government is responsible for 100% of all up-front costs of the project.
- Local sponsors have 50 years to repay their 15% share.
- Local sponsors are not liable for any of the interest expenses of the project, which have amounted to roughly 65% since construction began in 1966.
- Scarce government funds are being committed prematurely, long before the water is needed (local proponents admit that water secured by Wallisville will not be needed until 2010 at the earliest)
- Language in the appropriations bill has circumvented federal cost sharing guidelines adopted under the Reagan Administration and embraced by all ensuing Administrations, where the cost of local participation is greatly increased.
- $34.5 million has already been spent on a now abandoned portion of the project.
- The costs of having to reclaim or mitigate the damage associated with past construction as well as on-going or future construction is not known and could be significant (e.g. Lake Okechobee).
- While the Project professes to be primarily for water supply, Houston's estimates of water produced and saved by the project are unsubstantiated and exaggerated. The state water permits for this project are now in abeyance, are contested, and do not reflect the current Wallisville project.
- Due to federal appropriations in the Fall of 1995, construction is proceeding in advance of freshwater inflow studies for Galveston Bay conducted by Texas Parks and Wildlife Department and due out in mid-1996.
- There is a lack of coordination between overlapping federal projects and their relationship and impact on Wallisville, including the Galveston Bay National Estuary Program, the Lower Trinity River Flood Control Management Program, and navigation dredging in the Trinity Bay and Trinity River.

The Walllisville project itself is a testament to the imprudence of funding projects until concerns such as these are addressed. With these economic and environmental concerns in mind, we urge you to refuse further funding for this misguided project. In addition to the many public interest groups opposed to the project, we remind you several Texas natural resource agencies, including the Texas Parks and Wildlife Department, as well as the Reagan, Bush, and Clinton Administrations have gone on record as opposing this project. The many unanswered questions about the project's current utility and its environmental effects should be addressed **before** additional funding allows the Corps to proceed with damaging and unnecessary construction.

TEXAS
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ANDREW SANSOM
Executive Director

2/18/96
John T Myers, Chair
Sub Committee on Energy and Water Development
Appropiations Committee
2362 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr Myers
This is to respond to the opportunity for written comments to the Wallisville Lake Project scheduled for hearings soon before your committee.

Although I am a member of the TPWCommssion, and our staff has long had active concern over threats to the estaurine ecosystem, I am writing as a private citizen long interested in this project.

I am of an age to remember the antecedents of the Wallisville lock and dam..it was to be the first lock and dam in the scheme of developing the Trinity River towards Fort Worth/Dallas as a barge canal - and to make that area of Texas an inland port. This was the dream and largely through efforts of Amon Carter, the now deceased but powerful publisher of the Fort Worth Star Telegram ..as a former Fort Worth resident I was very familiar with his aspirations along these lines. However despite his push and that of the Trinity River Authority, the citizens along the banks of the Trinity River long since voted down bond issues for this purpose.

That left the CORPS and supporters scrambling for justification for having dredged the Trinity as far up as Liberty..and obviously salt water intrusion becamse one such justification. The other of barge traffic to Liberty also long since went by the way..There is little barge traffic to Liberty needed, used. Ask the barge professionals about this,

That leaves saltwater intrusion - caused by the dredging - and water for the future for Houston. This latter can be satisfied by the plentiful water available in the Sabine river system,, with dams and resevoirs created. And at the moment the state is now studying a transferance system from the East to the West..doable;

The plan was originally to inundate 9000 acres - which would have been an eco-disaster. It was cut to 5,000 as knowledge grew of the value of wetlands, then to its presence low dam state. The CORPS has responded to monies laid upon it to move the project - through the efforts of then congressman Jack Brooks. Personally I think they are embarrased at having to pursue the project..but since when does a federal agency turn down funding ? For heaven sakes, ~~cut the fund and~~ let us use available moneies for worthwhile projects such as march protection, removing unnecessary prior dams, etc. Brooks - the advocate is gone. I have files inches thick justifying cutting this project which I will not burden you. ~~[illegible] to the [illegible]~~

Sincerely

DAVID A. TODD
709 EAST MONROE STREET
AUSTIN, TEXAS 78704-3131
512-442-3130 *tel* • 512-442-1630 *fax*

6 March 1996

The Honorable John T. Meyers, Chair
Subcommittee for Energy and Water Development
Appropriations Committee
2362 Rayburn House Office Building
Washington, D.C. 20515
By fax: 202-225-3598

Dear Representative Meyers:

I write to urge you and your fellow members of the Subcommittee to refuse further funding of the Wallisville Lake Project, a saltwater intrusion barrier and channel lock proposed by the Army Corps of Engineers for the mouth of the Trinity River in Southeast Texas.

My opposition is based on economic and environmental concerns.

With the snowballing federal debt, persistent annual deficits, and divisive discussions over meeting a variety of budget needs, the proposals for generous federal expenditures on Wallisville certainly deserve a second look. The project 's more important fiscal shortcomings include:

- $26.5 million would need to be spent in addition to past expenditures to complete Wallisville (60% of the project still remains to be done).
- $300,000 to $400,000 would be required for annual operations the Lake Project.
- No estimate has been provided for the transaction costs of negotiating with upstream water rights holders to which Livingston and Wallisville rights are junior.
- The federal government absorbs an 85% cost share of the project's design and construction tab, leaving only 15% of the costs for local sponsors to pick up.
- The federal government is responsible for 100% of all upfront costs
- Local sponsors have 50 years to repay their share.
- Local sponsors are not liable for interest expenses, which have mounted to roughly 65% since construction began in 1966.
- The January 1996 Draft Master Plan for the Wallisville project includes no cost/benefit analysis.
- Scarce government funds are being committed prematurely, long before the water is needed (local proponents admit that water secured by Wallisville would not be needed until 2010, likely later).
- Responsible estimates of the true water "saved" by Wallisville are less than 15% the quantities claimed by the proponents.
- Proponents have only very weak data to support the water claimed to be provided by Wallisville:
    1) no records exist to document releases from the upstream dam at Livingston as requested and required for saltwater flushing;

100% recycled paper, including 50% post-consumer fiber

2) no public study exists to demonstrate the location, frequency and concentration of the saline wedge which Wallisville would block from traveling upstream.

- Cheaper, low impact, nonstructural, locally-funded alternatives have not been adequately examined, including water efficiency improvements, water pricing changes, and acquisition of water rights threatened by saline intrusion.
- The rice irrigation to be protected by the highly subsidized investments in Wallisville is itself a heavily subsidized and only marginally profitable venture.
- Navigation provided by Wallisville locks is also heavily subsidized and of extremely marginal utility: average yearly dredging costs for the Trinity Channel are $453,298 yet only 1.6 barges use the Channel per year.

I also have environmental concerns about the project. Given the wide and unexpected damage linked to dams on the Colorado and Columbia Rivers (disappearance of the Colorado's estuary, loss of the Columbia's salmon runs), and the immense expense of initial attempts at reversing the harm associated with hydrologic fiddling (witness the efforts at Lake Okechobee to correct the Corps' channelization work), I think we need to take these concerns very seriously. For Wallisville, these concerns include:

- Risks to the historically lucrative Galveston Bay fishery, which relies on freshwater inflows intercepted by Wallisville Lake Project; the Bay is estimated to produce:
  1) 1/3 of Texas shrimp harvest;
  2) 2/3 of Texas' oyster harvest;
  3) 1/3 of Texas' recreational finfish harvest.
- Due to federal appropriations in Fall 1995, construction is proceeding in advance of Galveston Bay freshwater inflow need estimate studies due out from the Texas Parks and Wildlife Department in mid-1996.
- It is unclear that this project is needed, since the Trinity River Authority has been unable to produce records demonstrating downstream requests for freshwater releases at any time since construction of the Livingston dam (Wallisville is intended to obviate the need for such saltwater flushing releases).
- It appears that the Trinity river system will continue to have adequate reserves of water to achieve required flushing in most situations:
  1) instream flows alone have exceeded 1000 cfs (when Wallisville's spillway gates would be open and the dam essentially useless) 88% of the time;
  2) as a backup source of freshwater flushing supplies, Lake Livingston could draw on its conservation pool - the Lake has been at least 95% full for 90% of the time since its construction.
- If there is interest from the City of Houston and other local governmental entities in recognizing and guaranteeing inflows to Galveston Bay there are a number of locally-based, more formal and participatory forums to discuss those issues without incurring the federal costs in building Wallisville and/or apart from Wallisville negotiations entirely. Since the City is only one of many water rights holders in the basin, and a quite junior right holder at that, discussions will need to be widened beyond Wallisville and the City's interest in the reservoir in any case. Possible venues for considering inflow questions include:
  1) through the Galveston Bay Program, a 9-year old program designed to cooperatively study and address threats to the Bay;

  2) through the Galveston Bay Council, which was recently created to implement plans to protect Galveston Bay and advise the Texas Natural Resources Conservation Commission and Texas General Land Office on issues related to Galveston Bay
  3) through the Coastal Coordination Council which was authorized by the Texas Legislature to review and advise a variety of state resource agencies on complex coastal problems, such as estuarine inflows.

- It appears that demands on Livingston have been wildly overestimated:
  1) while the reservoir was completed more than 30 years ago, its primary customer, the City of Houston, has yet to draw water from the lake;
  2) each revision of the City's water needs since 1977 has decreased its estimate of the area's future water needs; and
  3) many of the water needs included in the most recent (1991) water needs projection included speculative wholesale water sales to small communities near Houston; many of these communities have avoided committing to purchase water from the City, lowering potential demands on Livingston and Wallisville.
- Public interest groups, including the Sierra Club Lone Star Chapter, remain as parties in a 1988 case challenging the renewal of water rights for the Wallisville Lake Project. The case is still pending at the Office of Administrative Hearings (the case was put on hold until environmental studies were readied by the proponents; the proponents have not provided these documents).
- In Fall 1995, a wide variety of public interest groups (American Rivers, EDF-Texas office, Houston Audubon Society, Sierra Club - Houston Regional Group, National Audubon Society Southwest Regional Office, National Wildlife Federation, Sierra Club Lone Star Chapter, Sportsmen Conservationists of Texas, Texas Center for Policy Studies, and the Texas Committee on Natural Resources) registered their opposition to continued funding for the Wallisville Lake Project.
- The Texas Parks and Wildlife Department has filed notice opposing the Wallisville Lake Project.
- The Reagan, Bush, and Clinton Administrations have each gone on record as opposing the project.

Again, with these economic and environmental reasons in mind, I urge you to refuse further funding for this misguided project. If any funding must be awarded, I would hope that the appropriation would be expressly limited to removing the dam structures already placed on the Trinity delta.

Thank you very much for considering my comments. Also, I would appreciate being kept up to date on any future discussions of Wallisville's appropriations or authorization. Please use my letterhead address for any correspondence.

Sincerely,

David Todd

CITY OF DALLAS

RONALD KIRK
Mayor

March 5, 1996

The Honorable Eddie Bernice Johnson
U.S. House of Representatives
1123 Longworth House Office Building
Washington, D.C. 20515

Dear Representative Johnson:

Attached please find proposed testimony for the record on the FY '97 Energy and Water Development Appropriations Bill. We respectfully request your assistance in having this testimony made a part of the record. As always, if you should have any questions, please contact me at (214) 670-0773.

Thank you so much in advance for your assistance.

Sincerely,

Ronald Kirk

STATEMENT OF THE

HONORABLE RONALD KIRK MAYOR

CITY OF DALLAS

TO THE

SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

COMMITTEE ON APPROPRIATIONS

UNITED STATES HOUSE OF REPRESENTATIVES

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE

MY NAME IS RONALD KIRK AND I AM MAYOR OF THE CITY OF DALLAS, TEXAS. LET ME EXPRESS MY APPRECIATION, AS WELL AS THAT OF THE DALLAS CITY COUNCIL, FOR YOUR CONTINUED SUPPORT FOR THE FLOOD CONTROL PROJECTS AFFECTING THE CITIZENS OF DALLAS AND ITS NEIGHBORS. THE CITY OF DALLAS WOULD ALSO LIKE TO EXPRESS ITS APPRECIATION FOR YOUR CONTINUED SUPPORT OF THE RAY ROBERTS LAKE PROJECT.

I REQUEST YOUR SUPPORT OF THE FISCAL YEAR 1997 BUDGET TO BE REQUESTED BY THE CORPS OF ENGINEERS FOR CONTINUED FUNDING OF THE

UPPER TRINITY FEASIBILITY STUDY, THE DALLAS FLOODWAY EXTENSION AND THE LAKE RAY ROBERTS GREENBELT. THESE PROJECTS ARE EXTREMELY IMPORTANT AND HAVE A GREAT VALUE TO THE CITY OF DALLAS. ON BEHALF OF THE CITIZENS OF DALLAS, I WOULD LIKE TO URGE YOUR CAREFUL CONSIDERATION AND APPROVAL OF THESE REQUESTS. FUNDING OF THIS WORK PROVIDES FOR FLOOD PROTECTION, WATER SUPPLY AND RECREATION FOR CURRENT AS WELL AS FUTURE CITIZENS OF DALLAS.

I AM ALSO REQUESTING YOUR SUPPORT OF LEGISLATION THIS SESSION WHICH WILL CREDIT THE CITY OF DALLAS FOR FUNDS SPENT ON CONSTRUCTION OF FLOOD CONTROL PROJECTS THAT ARE PART OF THE 1965 AUTHORIZED FEDERAL FLOOD CONTROL PROJECT FOR EXTENDING THE DALLAS FLOODWAY. THE CITY OF DALLAS IS SEEKING THE NECESSARY AUTHORIZATION AS PART OF THE FLOOD CONTROL AUTHORIZATION BILL. ABSENT SUCH A BILL, THE CITY REQUESTS THIS BE INCLUDED IN THE BILL WHICH THIS SUBCOMMITTEE WILL REPORT.

A SERIES OF FOUR FLOODS OCCURRED IN THE PERIOD FROM 1989 TO 1992, ALONG THE UPPER TRINITY RIVER. DURING THESE FLOODS, EXTENSIVE DAMAGE RESULTED IN THE ROCHESTER PARK AREA, A

RESIDENTIAL AREA IN SOUTHEAST DALLAS, AND TO THE CITY'S CENTRAL WASTEWATER TREATMENT PLANT. DUE TO IMMEDIATE NEEDS TO PROVIDE FLOOD PROTECTION, THE CITY OF DALLAS AUTHORIZED THE CONSTRUCTION OF A LEVEE SYSTEM FOR THE ROCHESTER PARK AREA AND FOR THE CENTRAL WASTEWATER TREATMENT PLANT. BOTH OF THESE LEVEES ARE BASIC ELEMENTS OF THE 1965 AUTHORIZED FEDERAL FLOOD CONTROL PROJECTS, IN WHICH FEDERAL FUNDS WOULD HAVE PAID FOR A SIGNIFICANT SHARE (MORE THAN 50%) OF THE CONSTRUCTION, IF THE PROJECT HAD BEEN FUNDED, OR IF THE CITY HAD ELECTED TO WAIT FOR THE COMPLETION OF THE DALLAS FLOODWAY EXTENSION STUDY. SPECIAL LEGISLATION IS NOW NECESSARY FOR THE CITY TO RECEIVE CREDIT FOR THE COST INCURRED IN THE CONSTRUCTION OF THESE TWO LEVEES.

I URGE YOUR CAREFUL CONSIDERATION AND APPROVAL OF FUNDING FOR THESE NECESSARY PROJECTS, AS WELL AS YOUR SUPPORT OF LEGISLATION THAT WOULD PROVIDE FOR THE CITY OF DALLAS TO RECEIVE CREDIT FOR THE COST INCURRED IN THE CONSTRUCTION OF THE TWO LEVEES. YOUR SUPPORT IS GREATLY APPRECIATED.

VERNER, LIIPFERT, BERNHARD, MCPHERSON AND HAND
CHARTERED

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WASHINGTON, D.C. 20005-2301

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2600 TEXAS COMMERCE TOWER
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HOUSTON, TEXAS 77002
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March 6, 1996

The Honorable John T. Myers
Chairman
Energy and Water Development Subcommittee
Committee on Appropriations
United States House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

In behalf of the Southeastern Federal Power Customers, Inc., I am pleased to submit the following comments for inclusion in the record of hearing on Energy and Water Development Appropriations for fiscal year 1997.

Sincerely,

David A. Fitzgerald

Enclosures (5)

Committee on Appropriations
Subcommittee on Energy and Water Development
Comments of Roger Smith
on behalf of the
Southeastern Federal Power Customers, Inc.
on
The Corps South Atlantic Division and Ohio River Division
FY '97 Budget Request
March 6, 1995

Mr. Chairman and Members of the Subcommittee:

As the Chairman of the Operation & Maintenance Committee of the Southeastern Federal Power Customers, Inc. (SeFPC), I am pleased to provide comments in support of the Administration's budget request for the Army Corps of Engineers (Corps) South Atlantic Division (SAD) and the Ohio River Division (ORD). The SeFPC represents many of the rural cooperatives and municipally owned electric systems in the states of Alabama, Georgia, Mississippi, Kentucky, North and South Carolina, Florida, Virginia, and West Virginia which purchase power from the Southeastern Power Administration (SEPA). As you know, SEPA markets the capacity and energy generated at the hydroelectric projects the Corps operates and maintains in the SAD and ORD.

The members of the SeFPC have enjoyed a successful relationship with the Corps' SAD and ORD offices in years past, and look forward to working with the Corps in identifying and resolving problems at hydro-electric facilities. As Corps facilities have provided up to 25% of the SeFPC members' needs, without exception, the partnership with the Corps has benefited the 5.8 million customers of the SeFPC.

Despite the success of this relationship with the Corps, the generation of electricity at Corps facilities has encountered difficulties in recent years. Many Corps facilities have begun to show the effects of long term use without sufficient replacement or rehabilitation. As a consequence, the failure to perform routine replacement or rehabilitation has increased operation and maintenance costs.

As can be expected, Mr. Chairman, one of our chief concerns in the Southeast is that the Corps' power generating facilities which produce the power marketed by SEPA receive proper maintenance and upkeep, in accordance with industry standards. When a Corps generating unit becomes inoperable, excess repair costs are incurred. Revenue losses encountered by SEPA must be recovered in SEPA's future rate increases and in some cases the preference customers must replace the inoperable capacity with more expensive replacement power.

Unfortunately, operation and maintenance costs have risen in recent years for the Southern Atlantic Division, in part because of the condition of the units. To avoid forced outages, full funding is now needed to guarantee the reliability of power supplies for the near future. Past experience has demonstrated that it is less expensive to rehabilitate a unit than to repair one that has experienced a forced outage. We have provided, as an attachment, a list of projects in the SAD and ORD which, in our opinion, require immediate attention. In addition, we have provided a list of rehabilitation work scheduled to begin or continue in fiscal year 1997, including rehabilitation studies, engineering, and design work.

Since 1949, when SEPA began marketing the energy and capacity from these government constructed projects, over $500 million in revenues have been collected through rates charged by SEPA in excess of expenses and interest. Revenue from the rates paid by the preference customers have enabled SEPA to repay, on schedule, the original investment incurred to construct these projects. However, the failure to provide adequate resources for maintenance and rehabilitations impairs the preference customers' ability to repay the federal investment. When generating units deteriorate, the operation and maintenance expenses greatly increase.

The lack of funds to maintain, operate, and rehabilitate corps facilities weakens the federal investment in existing infrastructure. The preference customers, however, have endeavored to provide funding for the needed rehabilitations. In fact, through 1995, preference customers have paid in rates over $92,000,000 in excess of the amount spent on renewals and replacements. The members of the SeFPC respectfully request that Congress continue funding for rehabilitations without further delay.

The SeFPC continues to support sufficient funding for the Corps cost-saving and efficient ten year maintenance plans. Without adequate operations and maintenance funds many of the southeast's aging hydropower units risk failure, since an absence of funding for just one year would affect all of the units which have not yet been rehabilitated. As revenues from SEPA rates cover O&M expenses for the Corps hydropower projects, as well as joint costs for dam activities such as recreation, navigation, and flood control, we envision few obstacles in providing the much needed maintenance for these federal investments .

In conclusion, we support the Administration's request for the Corps' O&M and Major Rehabilitations budget. Maintaining our federal investment provides a cost-effective return for the federal government and ratepayers.

Respectfully submitted,

Roger Smith

Roger Smith
Chairman

SEPA UNITS AT RISK

South Atlantic Division

Henry

Unit 2, 19 MW as-run capacity, derated 2 MW due to coil failures.

Unit 4, 19 MW as run capacity. Currently being rehabilitated.

Total MW not available: 21 MW = 2 MW derated + 19 MW outage

George

Unit 2, 37.5 MW as run capacity has been derated 5 MW due to failed stator coils.

Total MW not available: 5 MW derated.

Millers Ferry

Unit 1, 27 MW as-run capacity, has been off line since July 1992 due to generator failure. Rewind work awaiting contract.

Units 2 & 3, 27 MW as-run capacity each. These units are derated 2 MW below rating and are at risk of failure.

Total MW not available: 31 MW = 27 MW outage + 4 MW derated

Woodruff

All three 12 MW as-run capacity units have been derated 2 MW each. These units are scheduled to receive FY 96 New Construction General Funds to begin rehabilitation.

Total MW not available: 6 MW derated

Hartwell

Both units 1 & 2 have had coils cut out and have been derated 10 MW each to 66 MW. They have 76 MW as-run capacity each.

Units 3 & 4 are at risk of failure due to poor generator insulation and have been derated 10 megawatts each to 66 MW.

Total MW not available: 40 MW derated

Thurmond

Unit 5, 46 MW as-run capacity, has been derated 6 MW due to failed stator coils.

Units 1,2,3,4, 6 & 7, 46 MW as-run capacity each, have been derated 6 MW each due to deterioration of generator insulation.

All seven units at Thurmond (46 MW as-run capacity each) are proposed to receive FY 96 New Start Construction General Funds to begin their rehabilitations.

Total MW not available: 42 MW derated

SUMMARY

Current available capacity: 2249 MW or 231 MW below the total "as run" capacity if all units were fully available.

Of these 231 MW, 132 are due to three unit outages (one of which has been out of service since 1992) and 99 due to unit deratings because of deteriorating equipment conditions. In the event that all derated units fail, the generating capability of the SAD projects would be decreased by another 673 MW in addition to the 99 MW which are currently out-of-service. This would be approximately 32% of the SAD's generating capacity which SEPA markets.

Ohio River Division

Barkley

Units 1-4 are rated at 37 MW each. Generator rewedging of all four units is nearly complete. However, the need for rewinds is expected in 4-5 years.

J. Percy Priest

Unit 1 is rated at 30 MW. Rewind contract award should occur by end of FY 96.

Cheatham

Units 1-3 are rated at 13.7 MW each. Generators will be cleaned this spring in the hope of halting declining megger readings. Rewind imminent if cleaning does not help.

Summary

Total ORD capacity at risk of failure if rehabilitation work is not initiated soon: 219

Corps of Engineers South Atlantic Division and Ohio River Division hydropower project rehabilitation work scheduled to begin or continue in FY97 (including rehabilitation studies, engineering and design).

South Atlantic Division	Capacity MW
Buford	105
George	150
Hartwell	304
Henry (Jones Bluff)	38
Kerr	225
Millers Ferry	75
Thurmond	322
Woodruff	36
Total Capacity Impacted:	1255

Ohio River Division	Capacity MW
J. Percy Priest	30
Total Capacity Impacted:	30

SHARPE JAMES
MAYOR
NEWARK, NEW JERSEY
07102

March 6, 1996

Honorable John Meyers, Chairman
House Energy and Water Appropriations Subcommittee
2362 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Meyers:

The Water Resources Development Acts of 1990 and 1992 authorized the restoration of the Passaic River Streambank in Newark, New Jersey, creating the project known as the Joseph G. Minish Passaic River Waterfront Park and Historic Area. This project is an integral part of the overall economic revitalization of our City, and it is critical that it move forward expeditiously. It is a component of a complex which includes the development of the New Jersey Performing Arts Center, the Newark Elizabeth Rail Link, and the realignment of Route 21. The timing of the riverfront construction needs to be coordinated with these other activities, so that scarce resources can be maximized.

The Army Corps of Engineers has completed planning documents, and could begin construction of the first project segment in FY97 if funds were appropriated for that purpose. A minimal appropriation of $900,000 is requested at this time.

The project rationale is further explained in the attached testimony, which is hereby submitted for the record of the hearings you are now conducting. Your consideration and positive response will be deeply appreciated.

Sincerely,

Sharpe James

Sharpe James
Mayor

attachment

SJ/JBC

Testimony of

Sharpe James, Mayor

City of Newark, New Jersey

March 6, 1996

House Appropriations Subcommittee
on Energy and Water Development

For the Record

Mr. Chairman, members of the Subcommittee, thank you for giving me the opportunity to submit testimony about a project under your jurisdiction.

The Passaic River Streambank Restoration project is an important part in the overall economic and transportation development plan of the City of Newark. An appropriation of $900,000 is requested so that this integral element of Newark's revitalization can move from detailed plan to construction of the initial project segment.

This investment in Newark's future will help us to improve the economic status of our nation's third oldest major city. The riverfront recapture site includes the location of the landing of the first Puritans to arrive in Newark in 1666, as well as abandoned industrial sites, underutilized properties, and a deteriorated streambank which has frequently been flooded. The development of the Passaic Riverfront now is a critical element in our overall plan for downtown rehabilitation. This includes the Newark Elizabeth Rail Link, the realignment of Route 21 (one of the oldest highways in the nation), and the construction of the New Jersey Performing Arts Center, which is scheduled for a Fall 1997 opening.

The riverfront will be the nexus of these activities, producing a vibrant downtown center that will provide economic development opportunities for the citizens of Newark and our region. Visitors from throughout the country are expected to visit our revitalized city, and participate in the exciting growth and development taking place. There is tremendous potential for this project to mirror the success of other riverfront developments throughout the nation, and Newark stands ready to accept the challenges such developments present.

We have a once in a lifetime chance to coordinate several major activities into a virtually seamless development plan. The budget I am submitting will serve to incorporate the Army Corps of Engineers project into our overall economic develoment plan to reinvigorate Newark. I urge you to support this appropriation request.

In closing, I would like to extend my thanks to the entire New Jersey delegation for their ongoing support, especially to subcommittee member Rodney Frelinghuysen for his advocacy of this critical project. Your time and attention are deeply appreciated.

Joseph G. Minish
Passaic River Riverfront Park
and Historic Area

Requested Funding for Fiscal Year 1997

• Engineering an Design (Construction Plans and Specifications	$600,000
• Coordination with NJDEP and Newark	$150,000
- Application for construction permits	
- Preparation and negotiation of project agreement (includes NJDEP coordination with Newark on local cost sharing)	
- Coordination of real estate (fee/easements) needed for construction	
• Initiation of construction	$150,000
Total FY97 request	$900,000

STATE OF MARYLAND
FICE OF THE GOVERNOR

PARRIS N. GLENDENING
GOVERNOR

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February 26, 1996

The Honorable John T. Myers, Chairman
Subcommittee on Energy and Water Development
House Committee on Appropriations
2362 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Myers:

During your subcommittee hearings related to the FY'97 Energy and Water Appropriations Bill later this month, Maryland's Secretary of Transportation David L. Winstead will testify about projects of significance to the Port of Baltimore. I will emphasize several issues which Secretary Winstead will be bringing to your attention.

As you know, the Port of Baltimore is a vital component of the nation's economy. Activity at the Port generates $400 million in United States customs receipts annually, as well as $2.0 billion in activity for Maryland's economy. Nearly 65,000 Marylanders are employed in the Port, or in Port-related jobs. Clearly, the Port is an economic engine for America and for Maryland. We ask that you provide funding for several important Port-related projects in the FY'97 appropriations bill. These include several channel improvements which are currently being studied, as well as routine maintenance dredging of the 125 mile system of channels serving the Port.

Perhaps one of the most important requests pertains to the development of the Poplar Island Restoration Project. This project, which involves the restoration of an eroded island in the Chesapeake Bay using materials dredged from ship channels serving the Port of Baltimore, is vital to Maryland's economy and maritime industry. We ask for your committee's support for this important project. More specifically, we seek funding under the Section 204 ("Beneficial Use") program to begin the project. We ask that your committee appropriate the full authorized amount of funding under this program (currently authorized at $15 million per year), and designate funding for the Port of Baltimore.

The vitality of the Port, and indeed that of the State of Maryland, depends in significant part on the 125 mile long system of maritime channels linking Port facilities to the Atlantic Ocean.

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The Honorable John T. Myers, Chairman
February 26, 1996
Page 2 of 2

A considerable amount of dredging is required each year to properly maintain and improve these channels. In coming years, we will dredge as much as 10 million cubic yards of material annually. Very shortly, Maryland will exhaust its current disposal capacity to dispose of the material dredged from ship channels. Accordingly, we urgently need the added capacity that will be provided by the Poplar Island project.

Although our official testimony will provide additional information on this and other requests, I would be pleased to meet with you personally to discuss these items further. Thank you for your consideration of these important issues.

Sincerely,

Parris N. Glendening

Parris N. Glendening
Governor

cc:
- Sen. Paul S. Sarbanes
- Sen. Barbara A. Mikulski
- Rep. Steny H. Hoyer
- Rep. Benjamin L. Cardin
- Rep. Constance A. Morella
- Rep. Wayne T. Gilchrest
- Rep. Roscoe G. Bartlett
- Rep. Albert R. Wynn
- Rep. Robert L. Ehrlich, Jr.
- The Honorable Leon E. Panetta
- The Honorable David L. Winstead

Parris N. Glendening
Governor

Maryland Department of Natural Resources
Tawes State Office Building
Annapolis, Maryland 21401

John R. Griffin
Secretary

Ronald N. Young
Deputy Secretary

March 6, 1996

The Honorable John Meyers, Chairman
Energy and Water Development Subcommittee
House Committee on Appropriations
2320 Rayburn House Office Building
Washington DC 20515

Dear Mr. Chairman:

Thank you for the opportunity to express the State of Maryland's concern over proposed budgetary cuts which would end the U.S. Army Corps of Engineers' (the Corps) involvement in shore erosion control and beach restoration projects in Maryland and throughout the United States.

The Corps and the Maryland Department of Natural Resources (DNR) have a long and important history of working together to prevent loss of valuable land, property and infrastructure along the shoreline of the Chesapeake Bay and the Atlantic coast in Ocean City and on Assateague Island. Through programs such as the Continuing Authorities and the Atlantic Coast of Maryland Shoreline Protection Project (the Project), the State of Maryland and the country have benefitted through the technical and financial assistance provided by the Corps.

Numerous shoreline protection projects have been planned, designed and constructed as a result of the partnership between the Corps, the State and local county and city governments through the Continuing Authorities Program, Section 14, Emergency Shoreline Protection Projects. These projects, including stone revetments, breakwaters and beach restoration stabilize eroding land and protect homes, roads, forest land and infrastructure. Stabilization of the shoreline also helps to improve water quality in the Chesapeake Bay, assisting federal and state efforts in restoring the largest estuary in the United States. Without the technical and financial assistance of the Corps, county governments would not be able to complete these important projects.

As you know, The Atlantic Coast of Maryland Shoreline Protection Project, a joint effort of the Corps, State of Maryland, Worcester County and the Town of Ocean City, has restored the beach and dunes in Ocean City, Maryland and has revitalized tourism and recreation along eight miles of ocean coast. The Project, completed in 1994 at a cost of $61 million, protects $3.5 billion of infrastructure, 20,000 seasonal jobs, and over $111 million in annual federal, state and local tax revenue. The viability of the Project is to be maintained through a 50-year renourishment agreement signed by the Corps and the State. It would be nearly impossible for this project to have been completed without the Corps' assistance.

Indeed, shore protection and beach renourishment is not just a local issue. The tax revenues generated by Ocean City, Maryland are from visitors from all over the United States and the world. The tourism industry nationwide is the largest employer and one of the fastest growing industries in the United States. Most of the tourism dollars are targeted to coastal states.

We urge you to carefully consider the benefits that all Americans receive through the technical and financial assistance provided by the Corps for shoreline protection and beach renourishment. We recommend that the Corps' participation in these projects be maintained.

If I can be of further assistance or if you have any questions, please do not hesitate to contact me.

Sincerely,

John R. Griffin

cc: Jim Dunmyer
MD Congressional Delegation

INTERNATIONAL FEDERATION OF
PROFESSIONAL AND TECHNICAL ENGINEERS

Local 49 P.O. Box 26435, San Francisco, CA 94126

Honorable John Myers
Chairman, Energy and Water Development Subcommittee
Washington, DC 20515

Dear Chairman Myers:

I request that the following statement by Local 49 be entered in the record for your hearing on February 28, 1996. I regret that I was not able to appear in person.

Sincerely,

Thomas R. Chamberland, PE, CVS
President

SUMMARY: Local 49 of the IFPTE supports Corps of Engineers missions and recommends that an independent study be made of its potentially disastrous "restructuring" plan, reorganization, project management and unproductive employee relations.

Support for Corps Missions: First, we believe that all the traditional Corps missions benefit the entire nation and that all regions of the country should be afforded the benefits of Corps projects on an equal basis, whether they are headwaters states or downstream states.

> Corps civil works projects have a net positive return on investment for the taxpayer dollar. Not all agencies can say that about their projects. If the Corps abandons its flood control, navigation and beach protection responsibilities, the nation will be left without national technical expertise and water development will become either lacking entirely or piecemeal and uncoordinated. The result will be economic losses to the people in all states. Moreover, since Corps technical experts also support the emergency response mission as a collateral assignment, the loss of those missions would mean a reduction in the ability of the Corps to respond to natural disasters.

Reviews: Next, I would like to discuss the subject of how the Corps has reassigned review functions between its organizational levels, part of what the Corps calls "restructuring". The scheme implemented last October will mean the end of the Corps as a first-rate engineering organization while, ironically, adding to the overall cost of producing projects. Specifically, the Corps eliminated the independent review function from the regional Divisions and assigned sole "technical" review authority to the local Districts. In addition, the Corps Headquarters assigned to itself the authority to provide another parallel review of those same project documents, that review being called a "policy" review. That awkward, split review scheme will mean the end of technically effective and cost-efficient reviews, and with the death of reviews goes the assurance of safe and high quality projects.

> Before I go further, let me emphasize that my criticism of the project review scheme does not mean that anyone believes that the Districts are technically incompetent. Far from it. Some of the most technically competent, hard working and most dedicated people in government or industry are in Corps of Engineers Districts. My criticism is directed at an institutional failure not of the District's making, namely the segmentation, complication and confusion of what should have been an orderly review process. Having said that, let me say that the Corps has ignored much good advice as is in trouble for that.

> The Corps failed to heed Congress when it told the Corps, in the Conference Report 103-672 to the Energy and Water Development Appropriation Act of 1995, to establish a *single* level of review for "policy" and "technical" questions *above the District level.* The Corps failed to heed the two previous chairmen of the Public Works and Transportation Committee and local sponsors who advised the Corps to place engineering services and project development authority near customers. The Corps failed to heed the American Society of Civil Engineers policy that an independent review, such as that provided by the Divisions, is a requirement when many lives may be at stake. The Corps failed to consider the doubts of many of its own people, including senior engineers in the Corps Headquarters, about the workability of the awkward, dual review plan. The Corps failed to heed its own task force on Division reorganization that said removing reviews from the Divisions would do serious harm to the ability of the Corps to provide high quality, safe and economical projects.

> The review process is not free no matter where it is done and, in a time of shrinking resources, one can not make sense of a process with review groups at four different levels, each plowing through the same review materials. The Districts do a "technical" review, the Divisions do an ill-defined "quality assurance" check of the Districts, the Headquarters does a "policy" review, and the Assistant Secretary of the Army (Civil Works) does a "quality assurance" review of the Headquarters. Those four levels of review are especially wasteful because all those groups require essentially identical technical knowledge and experience. The Corps needs to stop trying to do everything at every level.

> The Corps estimates that only 75 to 80 personnel spaces can be eliminated nationwide from Divisions by transferring Division technical responsibilities to the Districts. This is only about two reviewers per District, far too small a staff for a capable, multi-discipline review. Since the Corps has forbidden Districts to create separate review organizations, people added to perform the added review function can not easily be identified and counted. But the total number of people doing technical reviews will increase when Districts perform individual reviews from when a Division provided consolidated reviews for their several Districts. Some Districts have already requested added funds and added time to plan for and conduct the reviews of civil works projects that Divisions once performed.

> After Division reviews of military projects were eliminated several years ago, the costs of corrective contract modifications during construction and overall project costs jumped. Clearly, it is cheaper to correct errors on paper than disrupt contractor's construction schedules and rework construction already in place. In fact, Division reviews have been shown to save more money than they cost so I urge the Committee to investigate reviews and to not believe in an easy savings today with no adverse consequences tomorrow.

> For those reasons, the overall cost of projects will increase. In addition, the sponsors will have to pay a larger share of that increased cost because Division reviews were General Expense funded but District reviews are project funded. The advantage to Headquarters of shifting review costs to the project-funded Districts and, in turn, to cost-share sponsors is that it preserves General Expense funding for Washington-based staff.

> The Corps task force on Division reorganization said that the recommended Division staff and mission cuts will cause "technical competence ... to be undermined at the expense of product quality" and that the staff spaces in Divisions have a high "value added" compared to their number. How does the Corps explain to the people protected by our projects that the project, while it may appear to be cheaper, it will, in fact, be more expensive overall and more expensive for sponsors, while at the same time, it is lower in quality and less safe? What would our sponsor-partners say, if given a choice? I believe that sponsors would say that an independent review of technical work products is worthwhile and a requirement in any construction endeavor where the potential human cost of a failure is high.

> The Corps task force on defining the new technical review process concluded that Headquarters should conduct only very broad "policy" reviews limited to project purpose, cost sharing and budget criteria. Those reviews would focus on concepts and underlying assumptions and not how analyses were done, how data was collected and similar questions. The task force identified the "technical" topics that are within the exclusive purview of the Districts to be such items as verifying alternatives evaluated, verifying appropriateness of data and verifying analytical methods. Headquarters appeared to implement the task force recommendations but, in fact, they rejected the task force's narrow definition of the Headquarters role and claimed rights to those same "technical" topics, defining them instead as "policy" questions suitable for a Washington review. Many Headquarters jobs have historically depended on Headquarters involvement in those types of questions, including checking such minutia as interest calculations.

> Besides a loss in quality, there is a loss of communications with Corps local sponsors if the locus of all decision making is moved to Washington. The influence of a local sponsor over the progress of one of their projects would be greater with their project being reviewed and approved by the accessible regional Division office who are more familiar with the customer's needs and desires than with their project lost in the pile of projects from three dozen other Districts in Washington two or three organizational levels above and perhaps hundreds or thousands of miles away. In addition, the Division people and with the social, environmental and technical aspects of the region.

> Why did the Corps reorganize in such a dysfunctional way? We believe that the reason is to save jobs in Washington and, indeed, Headquarters has been very successful in doing that. The former Acting Assistant Secretary of the Army (Civil Works) noted that, over the last five years, the Corps Headquarters has decreased by only 14 full time equivalent personnel "spaces" out of about 2400 in the National Capital Region. Meanwhile, all the other levels of the Corps have been cut and sometimes severely so with more reductions planned. Since Division offices have been cut by half to about 100 civil works spaces each, the Divisions are not the place to look for additional savings. And with the Divisions and

Headquarters both funded from the same General Expenses account, every Division job cut, no matter how productive, is a Headquarters job saved.

> By contrast, the reorganized and decentralized Bureau of Reclamation has a Washington-based headquarters staff of about 60 out a nationwide staff of about 6,500. If the Corps had downsized its headquarters proportionate with the Bureau, there would be about 350 people in Washington to oversee the 38,000 Corps people, not the 2400 currently there.

> But there is an accessible alternative to the present scheme with all its Washington-based top-heaviness, namely the "Section 14 Solution". When Headquarters delegated the review and approval authority for Section 14 continuing authority projects to the regional Divisions, project development times dropped from three and one half years to only one year. That decrease in time shows that a single combined review done at one time at one place in the regional Division is simple, speedy, easily understood, technically effective and eminently workable. The only way to achieve these time and money savings on other programs may be a direct limitation on the functions and size of the Washington-based staff and combining "technical" and "policy" reviews into one review in the regional Divisions.

> The findings of every Corps-sponsored study - indeed the recommendations of professional organizations - is that the new review scheme will adversely impact project development. The finding are absolutely consistent. Irrespective of our views, if the Committee desires an impartial opinion on how reviews should be conducted for maximum economy, timeliness and technical effectiveness, a study by an independent agency could be performed. The American Society of Civil Engineers, the National Academy of Public Administration, National Society of Professional Engineers and other professional organizations have been suggested as being capable of performing a full study of the Corps and providing recommendations for you. We urge the Committee to earmark funds for an independent look at the Corps and to hold special hearings on maintaining project quality.

Division Reorganization: Next, I would like to discuss reorganization. The subject of how to reduce the number of Division offices was discussed after the BRAC reorganization plan in 1991 and again in depth after the ill-conceived November 1992 plan. Lieutenant General Arthur Williams, the Chief of the Corps of Engineers, this month released for comment his third reorganization effort. I will limit my comments about that plan to the issue of site selection. We believe that Chicago is the best location for the office serving the Great Lakes, Ohio and Upper Mississippi River basins. Only by locating the office in Chicago will the specialized Great Lakes expertise be maintained. Second, Chicago is currently the only Division office that, for economy reasons, is collocated with the nearby District, although the District and Division offices in San Francisco have similar plans. In addition, the office in Chicago is in a Standard Federal Regional City along with FEMA, EPA and other federal customers are while the other candidate locations are not. This was one of the Congressional criticisms made of the 1992 reorganization plan. The Clean Air Act requires federal agencies to minimize impacts on air quality and, of the candidate cities, only Chicago has a well developed public transportation system. Finally, Chicago is the capital of the American heartland and the premier federal engineering organization should locate there.

Project Management: The Corps has been experimenting with Project Management for about six years and little good has come from it. However valid Project Management is as a general concept, the way the Corps instituted it results in PM being only an added, superfluous internal management layer, a scorekeeper function. The Project Manager has little actual authority to decide technical details of projects, to select or supervise the engineers and other technical specialists who will actually develop his project or even to influence their performance appraisals. The PM role is that of data gathering and reporting, especially at levels above the District. There is considerable money to be saved from eliminating or drastically revising Project Management. We urge the Committee look again at Project Management, perhaps obtaining the views of an outside, independent agency.

Partnering With Unions: Finally, a subject near to my heart is the poor performance of the Corps when it comes to partnering with its approximately four dozen local unions from many different national affiliations. It goes without saying that an efficient, high performance organization is one that makes the best use of all its people but the Corps shuns the idea of forming partnerships with its employees and their organizations and instead retains the "command and control" ethic of a military organization. I wrote two letters to the former Acting Assistant Secretary of the Army (Civil Work) urging that the Corps utilize brains and ideas of their employee's organizations in deciding what functions of the Corps should be performed at each level. The Corps, instead, systematically excluded employee groups and the result is the poor "restructuring" of functions that the Corps implemented..

> Incidentally, the frustration and stonewalling I encountered in dealing with the Corps Headquarters is mirrored, and even magnified, at the local level. At the local level, labor-management relations are generally hostile and unproductive and there are few, if any, of the functioning partnerships that Presidential Executive Order 12871 envisioned. For example, one union president is forced to stand while talking to the District commander. The Corps has created an us-versus-them atmosphere with distrust, acrimony, pettiness, antagonism and conflict being the hallmarks.

> The Corps can only gain in productivity from being less confrontational. I recommend that the Congress reauthorize existing funds to foster partnering between the Corps and its unions and thereby help the Corps shed its "worst in the government" reputation.

Summary: In summary, we make two recommendations to the Committee. First, we urge the Committee to appropriately fund the traditional Corps missions in Fiscal Year 1997 and beyond. Second, we urge the Committee to take a fresh look at the Corps and determine for itself whether the "reengineered" Corps of Engineers is headed for disaster or headed for a continued bright future of service to the nation. There are several million dollars in a Corps account that were set aside for Division closure that could be used to fund a wide ranging and independent reexamination of the Corps in order to provide Congress with an unbiased view of how the Corps should be reorganized. We urge the Committee to take action to preserve the Corps as the premier provider of engineering services to the nation. We in the IFPTE pledge our assistance in that effort.

PORT OF SIUSLAW

March 5, 1996

Representative John T. Myers, Chairman
House Appropriations Subcommittee on Energy & Water Development
2362 Rayburn House Office Building
Washington, DC 20515-6020

By Facsimile 202-225-3598 3 pages total
Attention: Robert Schmidt

FY 1997 Energy & Water Appropriations bill

Dear Mr. Chairman:

Enclosed is the statement of Verne Passenger, Commissioner for the Port of Siuslaw, Oregon.

We understand that the traditional time for witnesses before the subcommittee has already taken place, however, written testimony can still be submitted.

Thank you for your consideration on this matter.

Sincerely,

Bill Bradshaw

Bill Bradshaw
Port Manager

BB/tw

1499 Bay Street • PO Box 1220 • Florence, Oregon 97439 • (503) 997-3426

STATEMENT OF

Verne E. Passenger, Commissioner, Port of Siuslaw, Oregon

for the

Senate Appropriations Subcommittee on Energy and Water Development
and the
House Appropriations Subcommittee on Energy and Water Development

supporting continued funding of the

Corps of Engineers' Civil Works Budget for
Operation and Maintenance at Oregon Coastal Ports for Fiscal 1997

and

the Corps of Engineers' Continuing Authorities Program

and

Preserving the Corps of Engineers Dredge Fleet

Mr. Chairman:

My name is Verne Passenger and I am a port commissioner for the Port of Siuslaw, Oregon. I appreciate this opportunity to submit this testimony about the proposed fiscal year 1997 budget for the U.S. Army Corps of Engineers. My testimony today discusses several aspects of Corps' activity, and it is our intention to give full support for the Corps of Engineers Operation & Maintenance (O&M) budget.

PORT OF SIUSLAW CREATES JOBS THROUGH ECONOMIC DEVELOPMENT

The Port of Siuslaw's river transportation system serves as a vital river highway which is centrally located here on the Oregon coast. The port is working to diversify its economic development projects and add new businesses at each opportunity. Facilitating trade on and near this federal river highway system is an essential component of our economic well-being.

The Port of Siuslaw's economic diversification projects are presently funded by federal and Oregon State Marine Board funds. Our project at this time is half completed and consists of a 200 space parking lot and the infrastructure for 10 new business sites. The Port of Siuslaw's boardwalk should be funded and completed in 1996. The total cost of this project (state and federal funds) is approximately $1,100,000. Once completed, this project will diversify its commerce and trade for the people of this port district and will create hundreds of new jobs. The Corps' budget is important to this project because visitors are attracted to a working waterfront. In order to have a working waterfront, you must have a navigable waterway.

The Port of Siuslaw wishes to express our support for appropriations for the following:

1) The continuing authorities programs and O&M budget.

2) We encourage the committee to maintain the federal dredges *YAQUINA, ESSAYONS,* and *SANDWICK* operated by the U.S. Army Corps of Engineers.

3) We support the Corps' plan to increase effectiveness and reduce costs. However, we do not support proposals for future years that would drastically reduce Corps programs and O&M budgets. The Corps supports the entities that turn the nation's rivers and harbors into economic and recreational benefits.

4) We encourage the committee to maintain dredging for shallow draft ports irregardless of the tonnage over the river bars. The importance of safe and navigable waterways is not always measured by tonnage.

CONCLUSION

Balancing spending priorities in a time of shrinking resources is a difficult task. I urge you to continue to not only fund the deep draft ports, but the shallow draft ports as well.

In closing, I want to thank Chairman Myers and all subcommittee members for their attention and understanding of the various issues I have discussed here today. Your decisions will heavily impact the people of this port district.

Thank you for the opportunity to address this committee.

TESTIMONY OF

JOHN FRATT
EXECUTIVE DIRECTOR
PORT OF KALAMA
PO BOX 70, KALAMA, WA 98625
(360) 673-2325

Before the
Energy and Water Development Subcommittee on Appropriations
US House of Representatives

Mr. Chairman and Members of the Committee:

My name is John Fratt and I am Executive Director of the Port of Kalama in Kalama, Washington. I also chair the group of seven lower Columbia River ports in Oregon and Washington that are sponsoring the Columbia River Channel Improvement Project.

Throughout the years, this subcommittee has shown strong support for our efforts to improve the Columbia River transportation system. Please accept my very sincere appreciation for that advocacy.

In 1995, more than 2,146 ocean-going ships carried 38 million tons of cargo valued at an estimated $14 billion through the private and public facilities located at these seven ports. At the Port of Kalama, we throughput 10.35 million metric tons of grain at our two facilities and we handled 353 ships. This was a doubling of the tonnage that we handled in 1994.

Lower Columbia River Channel Deepening Needed

Ships nearly 1,000 feet long and drawing 41-42 feet are commonplace in today's marine markets. These new ships bring increased efficiency and economies of scale, yet they also present tremendous challenges for US ports. In an effort to keep pace with this new shipping size and technology, the lower Columbia River ports are well into a feasibility study to deepen our navigation channel.

Here is what is at stake today. The Columbia River is the second largest export gateway on the West Coast. More than 90 percent of the region's goods move by way of the Columbia River to overseas customers. For the nation's wheat producers, the Columbia River is the largest export gateway in the US, handling approximately one-third of the country's production. From Montana, as one example, three-quarters of the wheat crop from that state reaches export markets by way of the Columbia River. Corn from the Dakotas and Nebraska rides the Columbia to the Pacific Rim. The Peavey facility at Kalama receives more than 80 percent of its product from the midwest of the United States and last year three-fourths of its ships left light-loaded because of draft restrictions.

Based on the recent growth of trade through our ports, one can easily see how much more important this channel will become in the years ahead. Our export volumes, coupled with effective steamship service to key markets, will continue to be important to businesses around the country that use our system. Our only major weakness is the current 40-foot depth of our deep-draft navigation channel.

That is why building and maintaining a navigation channel that can handle today's larger vessels and those on order for the future is such a critical need. Nearly a decade ago, we began planning this navigation improvement with increasing vessel size in mind. Before we were able to bring the project on-line, larger and deeper vessels began calling at sponsor ports. Today their presence reminds us regularly of the critical need for this project to move ahead rapidly.

Channel Maintenance Essential

Once channels are dredged, they also must be maintained. Our ports have a history of a 100-year partnership with the federal government in operating and maintaining the Columbia River's navigation system. In 1890, the Portland District of the Corps of Engineers completed a study defining a 25-foot deep channel from Astoria to the Portland/Vancouver area. Completion of the project came in 1893. Over the years, this federal/local partnership has seen the successful authorization and construction of two more channel improvements: deepening to 35 feet, completed in 1950, and construction of the existing 40-foot channel, dedicated in 1973.

Our challenge today comes in the face of the transition within the federal government, particularly with the Corps of Engineers. Faced with a wide range of fiscal priorities and restraints, the Corps of Engineers is being pulled in a number of directions. Yet, if maintenance of the nation's navigation system suffers and we can't keep our waterways functioning at all times at project depth, port customers will suffer serious economic impacts. I know this subcommittee understands the importance of channel maintenance, but the fact is the Corps needs to be encouraged to do a better job in this area.

Deepen\HseTstmy.396

I encourage this subcommittee to give the Corps of Engineers the means to take a more proactive approach in its advance maintenance program. Rather than allowing channels to shoal to less than project depth before beginning remedial dreding, let's encourage the Corps to be more proactive.

Ports will move aggressively to meet the demands of their shipper customers in our own planning and financing of port facilities, such as docks, wharves, and terminals. Our success in international competition also will be determined in large measure by the role played by the Corps of Engineers in its operations and maintenance function.

Channel Turns Need Modification

Prompted by a recent navigation mishap in the lower Columbia River, ports and the Columbia River Pilots have asked the Corps to examine modifications to two turns in the channel. Simulation of these turns by the Waterways Experiment Station is the most likely next step, provided money is available for the review. The urgency of this situation demands an early resolution to the problem and we are asking the subcommittee to support an appropriations for the special study of technical modifications to these turns.

Conclusion

Again, Mr. Chairman, our navigation channel is a remarkable success story and part of the marine system that moves 95 percent of all US international trade. Please understand that our regional and national trade significance is at a critical crossroads. The world's fleet is moving to larger vessels and our studies have consistently shown the economic benefits of a deeper channel.

Your subcommittee can assist tremendously by its support for a continuation of the feasibility study, for a continuing high priority for operations and maintenance dredging, and for work on essential turn improvements in the lower Columbia River.

Thank you for this opportunity to provide information about the Columbia River and the importance of its navigation channel.

Colorado River Basin
Salinity Control Forum

GOVERNORS

Fife Symington, AZ
Pete Wilson, CA
Roy Romer, CO
Bob Miller, NV
Gary E. Johnson, NM
Mike Leavitt, UT
Jim Geringer, WY

FORUM MEMBERS

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Timothy J. Henley
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Walter G. Pettit
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Gordon W. Fassett
Dan S. Budd
Gary Beach

EXECUTIVE DIRECTOR

Jack A. Barnett

West 500 South, Suite 101
Bountiful, Utah 84010
(801) 292-4663

March 6, 1996

John Myers, Chairman
Subcommittee on Energy and Water Development
Committee on Appropriations
2362 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Myers:

The Colorado River Basin Salinity Control Forum has adopted a position supporting funding for the Bureau of Reclamation's Colorado River Salinity Control Program in the amount of $11,500,000. The testimony of the Forum is enclosed.

We would appreciate you making this statement a part of the formal hearing record concerning FY 97 appropriations for the Bureau of Reclamation. We thank you for your subcommittee's support of this program in years past and hope that you will again support funding to continue this valuable program.

Sincerely,

Jack A. Barnett
Executive Director

np
enclosures

Colorado River Basin

Salinity Control Forum

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Statement of
the
COLORADO RIVER BASIN SALINITY CONTROL FORUM

to the
HOUSE COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

presented by
JACK A. BARNETT, EXECUTIVE DIRECTOR
March 6, 1996

Requesting Appropriations
for the
COLORADO RIVER SALINITY CONTROL PROGRAM

For the Department of the Interior

Bureau of Reclamation - FY 97 Appropriation

Colorado River Basin Salinity Control
Forum's Recommendation:

Originally Authorized Program	$5,500,000
Program Authorized in 1995	$6,000,000
TOTAL	$11,500,000

This testimony is in support of funding for the Colorado River Basin salinity control program. Congress has designated the Department of Interior, Bureau of Reclamation, to be the lead agency for salinity control on the Colorado River. This role and the authorized program was refined and confirmed by the Congress last year when PL 104-20 was enacted into law. A total of $11,500,000 is needed this year to implement the needed and authorized program. Failure to appropriate these funds will result in significant economic damage and threaten the compliance with adopted water quality standards.

OVERVIEW

The Colorado River Basin salinity control program was authorized by Congress in 1974. The Title I portion of the Colorado River Basin Salinity Control Act responded to commitments that the United States had made via a treaty with Mexico with respect to the quality of water being delivered to Mexico below Imperial Dam. Title II of the Act established a program to respond to salinity control needs of Colorado River water users in the United States and to comply with the mandates of the then newly legislated Clean Water Act. Initially, the Secretary of the Interior and the Bureau of Reclamation were given the lead Federal role by the Congress. Important modifications to the program were made by the Congress last year as legislation creating PL 104-20 was passed. This testimony is in support of funding for the Title II program.

After a decade of investigative effort, the Basin states concluded that the Salinity Control Act needed to be amended. Congress revised the Act in 1984. That revision, while keeping the Secretary of the Interior as lead coordinator for Colorado River Basin salinity control efforts, also gave new salinity control responsibilities to the Department of Agriculture, and to a sister agency of the Bureau of Reclamation—the Bureau of Land Management. Congress has charged the Administration with implementing the most cost-effective (dollars per ton of salt removed) program practicable. The Basin states are strongly supportive of that concept, as the Basin states now cost share 30 percent of federal expenditures for the salinity control program, while in addition proceeding to implement their own salinity control efforts in the Colorado River system.

Since the congressional mandates of nearly two decades ago, much has been learned about the impact of salts in the Colorado River system. The Bureau of Reclamation has recently completed studies on the economic impact of these salts. Reclamation recognizes that the damages to United States' water users alone may soon be approaching $1 billion per year.

The Colorado River Basin Salinity Control Forum (Forum) has become the seven-state coordinating body for interfacing with federal agencies and Congress to support the implementation of a program necessary to control the salinity of the river system. Forum members are appointed by the governors of the seven Colorado River Basin states. In close cooperation with the Environmental Protection Agency (EPA) and under requirements of the Clean Water Act, every three years the Forum prepares a formal report analyzing the salinity of the Colorado River, anticipated future salinity, and the program necessary to keep the salinities at or below the levels measured in the river system in 1972.

In setting water quality standards for the Colorado River system, the salinity levels measured at Imperial, Parker, and Hoover Dams in 1972 have been identified as the numeric criteria. The plan necessary for controlling salinity has been captioned the "plan of implementation." Most recently, the Forum completed its 1993 Review of water quality standards, and the Colorado River Basin states have submitted this report to EPA. The required 1996 review is now in process. If adequate funds are not appropriated, state and federal agencies involved are in agreement that the numeric criteria will be exceeded and damage from the high salt levels in the water will be widespread and very significant.

JUSTIFICATION

The $11,500,000 requested by the Forum on behalf of the seven Colorado River Basin states is the level of funding necessary to proceed with the Bureau of Reclamation's portion of the plan of implementation. Reclamation has agreed that this funding level is appropriate if salinity in the Colorado

River is to be controlled so as not to exceed the established numeric criteria and threaten the associated water quality standards. Currently, there are two authorizations provided by Congress which require appropriation. The first is what may be for the on-going or long established program authorized by Congress in 1974. The spending ceiling for this program will be reached in the next two or three fiscal years and then funds for the portion of the program will be terminated. The second authorization, often termed the basin-wide program, was authorized by Congress in 1995. It gives to Reclamation new latitude and flexibility in seeking the most cost-effective salinity control opportunities.

DETAILS CONCERNING THE REQUESTED APPROPRIATION

On-going contracts with water users in the Grand Valley of Colorado and in the Lower Gunnison area of Colorado, authorized under the original Salinity Control Act, require funds for the forthcoming fiscal year and many of the activities associated with the long-established program will be drawing to a close. Bureau of Reclamation has neared completion of the Paradox Valley unit which involves the collection of brines in the Paradox Valley of Colorado and the injection of those brines into deep aquifers through an injection well. The construction phase of this program is drawing to a close and the continued operation of the project will be funded through Operation and Maintenance funds. In additional to the dollars identified above, the Salinity Control Forum urges the Congress to appropriate necessary funds to continue to maintain and operate salinity control facilities as they are completed and placed into long-term operation. New programs and new efforts will be contracted for in the forthcoming year as the Bureau of Reclamation implements their basin-wide program authorized by the Congress in 1995. Funds will be used on a variety of projects and the process for selecting those projects is set forth in a report to the Congress that was required by the 1995 act.

In addition, the Forum supports necessary funding to allow for continued general investigation of the salinity control program. It is important that the Bureau of Reclamation have planning staff in place, properly funded, so that the progress of the program can be analyzed, coordination between various federal and state agencies can be accomplished, and the identification of the future of the program can be properly planned.

Jack A. Barnett
Executive Director

ALCALDE & FAY

GOVERNMENT & PUBLIC AFFAIRS CONSULTANTS

March 6, 1996

Honorable John Myers
Chairman
Energy and Water Appropriations Subcommittee
2362 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Chairman:

I have attached the testimony of Evonne Atkinson, Chairman of the Clark County Commission, for inclusion in the testimony you have received on the Energy appropriation the last couple of weeks.

If you recall, we spoke last week and you agreed to include this in the testimony.

Thank you for your help.

Sincerely,

JAMES H. BILBRAY

2111 WILSON BOULEVARD SUITE 850 ARLINGTON, VIRGINIA 22201 PH (703) 841-0626 FAX (703) 243-2874

STATEMENT OF YVONNE ATKINSON GATES, CHAIR BOARD OF COUNTY COMMISSIONERS CLARK COUNTY, NEVADA BEFORE THE HOUSE APPROPRIATIONS SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

Chairman Myers, Representative Bevill, and members of the Subcommittee, I am Yvonne Atkinson Gates, Chair of the Clark County, Nevada, Board of Commissioners. I want to thank you for the opportunity to provide testimony on an issue that is extremely important to the citizens of Clark County and Nevada: The Department of Energy's (DOE) Yucca Mountain Program, and the legislative proposals to place an interim facility for the storage of nuclear waste in Nevada.

Clark County includes the City of Las Vegas, is home to over one million people (almost two-thirds of Nevada's population), serves as host to almost 30 million people annually, and generates over 60 percent of Nevada's revenue. It is also home to almost 90 percent of the workers at the Nevada Test Site involved in weapons testing, environmental management and the Yucca Mountain programs.

Clark County is one of ten local governments that have been designated by DOE as "affected" under provisions of the Nuclear Waste Policy Act, as amended (NWPA). Potential impacts to Clark County, among others, noted in DOE's Yucca Mountain 1986 Environmental Assessment document, and in recent legislation (S. 167, specifically) place nuclear waste transportation routes within the rapidly urbanizing, and tourist-based economic area of metropolitan Las Vegas.

It is readily apparent that it is the goal of many Congressional representatives to implement interim storage legislation. This, we feel, is unfortunate because the proposed legislation departs dramatically from Congress' original goal of implementing a permanent solution to the nation's nuclear waste problem. An "interim" solution, as I'm sure you're aware, may not necessarily provide the "quick fix" that is intended. It does not, for example, adequately consider the complexities of an extensive transportation campaign that will impact most of the nation. It would be better to reaffirm the original objectives of the NWPA.

As an elected official of a county that could be greatly impacted by both the permanent Yucca Mountain program, as well as an "interim" site on the Nevada Test Site, I am, therefore, perplexed by the House's decision not to provide the needed resources to enable affected governments from determining the short and long-term effects of these programs on our citizens, economy and quality of life.

We, of course, support cost-cutting measures and the need to balance the budget. Despite the intent of Congress to reduce costs, and to redirect the Yucca Mountain Program towards a short-term solution, however, DOE, it should be pointed out, is still receiving funding to characterize Yucca Mountain. A decision will be made by 1998 on the "viability" of the site for the permanent storage of spent commercial fuel and high-level radioactive waste.

Since this is a key element in determining whether Yucca Mountain will be considered for permanent storage it is important for Clark County and the affected governments to have the resources to participate in the decisions that will be made during this extremely critical juncture in the program, as well as to continue other needed oversight responsibilities specified under the still active Nuclear Waste Policy Amendments Act of 1987 (NWPAA).

Why are the affected governments suddenly prevented from receiving the funding needed to continue to participate during, perhaps, the most critical part of the site characterization program (e.g. the "viability assessment")? Why is the review of site characterization activities for FY 1996 suddently less important for the affected governments than it is for those entities receiving funding under "cooperative agreements" from DOE? And why is FY 1996 suddenly different from previous years when the affected governments conducted almost identical oversight activities ?

Clark County and the other affected governments still have a strong vested interest in continuing to take part in site characterization review. Since the communities and citizens of the area will be forced to live with the decisions that are made they should, as provided for in the NWPA and in representative government, have the opportunity to participate in the decision-making. Clark County and the others, therefore, need to retain an active and effective role in the decision-making process, the results of which could greatly influence our citizens, community and economy for many years.

Not including oversight funding for FY 1997 (as well as, of course, for FY 1996) will eliminate effective oversight opportunities for those governments that will be most impacted should interim or permanent storage be implemented at Yucca Mountain. This will also preclude the opportunity for DOE and Congress to receive an important local perspective on this complex program during a period when it is most needed.

With the county programs eliminated it will be difficult, if not impossible to recreate the local oversight expertise, that has taken over a decade to develop, should interim storage legislation be approved, or should the original site characterization efforts be restored to their former prominence.

The affected governments fully understand that DOE's funding for site characterization has been reduced considerably. We, therefore, fully expect that with limited resources available our oversight activities would have to be reduced accordingly. Providing some funding, however, to programs that already occupy an extremely small part of DOE's overall budget would be important in enabling oversight to continue.

We, therefore, respectfully request that the House Energy and Water Development Appropriations Subcommittee carefully consider the importance of local government participation in this program and restore program funding to the affected governments. My staff is available, at your convenience, to more fully elaborate on the oversight activities that Clark County has performed to date, and in describing the issues that are important to Clark County on this important program. Thank you for your consideration on this important matter.

appcom.md

STATE OF ILLINOIS
OFFICE OF THE GOVERNOR
SPRINGFIELD 62706

JIM EDGAR
GOVERNOR

March 6, 1996

The Honorable John T. Myers
Chairman
Subcommittee on Energy and Water Development
Committee on Appropriations
H-218, The Capitol
Washington, D.C. 20515

Dear Mr. Chairman:

Please consider this as formal testimony conveying the State of Illinois' interest concerning the Fiscal Year 1997 appropriations for the U.S. Army Corps of Engineers. I ask your consideration of and favorable action upon the state's requests.

The enclosed list identifies those Corps of Engineers' projects of highest priority to the State of Illinois. Five state agencies reviewed these projects and found them worthwhile based on need, cost, local sponsorship, and Corps interest. The list includes both items that we expect to be in the Administration's FY 97 budget request and others of the highest priority that we propose for special consideration.

I recommend inclusion of all of these projects in the FY 1997 Energy and Water Development Appropriations Act. Should you require any supporting documentation for these projects or other information, please do not hesitate to contact my Washington Office (202/624-7760). Please include this correspondence in the hearing record of the Subcommittee on Energy and Water Development.

Sincerely,

Jim Edgar

Jim Edgar
GOVERNOR

JE/mgc

Printed on Recycled Paper

JIM EDGAR, GOVERNOR
STATE OF ILLINOIS

TESTIMONY ON FY 1997 APPROPRIATIONS FOR U.S. ARMY CORPS OF ENGINEERS CIVIL WORKS PROGRAM

The State of Illinois recommends that the following ongoing U.S. Army Corps of Engineers projects be funded in the Fiscal Year 1997 Energy and Water Development Appropriations Act. Funding recommendations are based on the latest reliable information regarding project needs, Corps capability, priorities, progress, and expected results.

SURVEYS	
Alexander and Pulaski Counties	$319,000
Des Plaines River	350,000
Freeport	300,000
Upper Mississippi & Illinois Navigation Study	13,000,000
Waukegan Harbor	200,000
PRECONSTRUCTION ENG. & DESIGN	
Chicago Shoreline, Reach III	60,000*
Nutwood Drainage & Levee Dist.	160,000
CONSTRUCTION	
East St. Louis	5,000,000
Four Locks, Illinois Waterway	3,254,000
Loves Park	2,000,000
Melvin Price Lock and Dam	2,400,000
Mississippi River Between the Ohio & Missouri Rivers	4,300,000
Mississippi River, Major Rehab:	
Lock & Dam 24	2,000,000
Lock & Dam 25	4,300,000
Olmsted Lock & Dam	32,100,000
Rend Lake (Design Deficiency Corrections)	300,000
Upper Mississippi River System Environmental Management Program	19,455,000

OPERATION AND MAINTENANCE

Illinois supports the Corps' budget for continued satisfactory maintenance and operation of navigation, flood control and multipurpose projects, and adequate manpower for public service activities related to the water resources in and bordering on the state. Also, Illinois urges that future major rehabilitation of Upper Mississippi River and Illinois Waterway Locks and Dams be taken into account in future budgets.

ADDITIONAL REQUESTS

In addition, the State of Illinois recommends that the following high priority projects be included in the FY 1997 Corps of Engineers' appropriations:

LAKE MICHIGAN DIVERSION (Operation and Maintenance)

The Chicago District is responsible for diversion measurements and accounting of lake diversion at Chicago. In addition to the normal costs associated with diversion accounting, the Corps is accruing additional expenses associated with metering and the provision of crucial factual assessments to the ongoing state-federal mediation process that should lead to a revised accounting system. As a result, there is a need for $760,000 for FY 1997.

CHICAGO HARBOR (Operation and Maintenance)

There is a need for $4.7 million to rapidly rehabilitate the Chicago Lock. Excessive leakage through this lock interferes with lake diversion measurements and accounting.

MISSISSIPPI RIVER MODEL

There is a need for $500,000 in general investigation funds to complete a study of Mississippi River flood modeling, as proposed by Gen. Galloway's Floodplain Management Task Force, to update the 1975 system profiles used for flood control planning.

NORTH LIBERTYVILLE ESTATES LEVEE

The state supports construction of this Section 205 small flood control project and is contributing up to $200,000. The federal funding required is $1.5 million.

CHICAGOLAND UNDERFLOW PLAN

Chicagoland Underflow Plan - O'Hare Reservoir - There is a need for $2 million to complete construction of the O'Hare Reservoir component of the Chicagoland Underflow Plan for flood control.

CHAIN OF ROCKS CANAL LEVEE

There is a need for $500,000 to $800,000 to complete investigative analyses and to initiate preparation of plans and specifications for remedial work. The levee lying along the east bank of the Chain of Rocks Canal has demonstrated design deficiencies which must be corrected to adequately protect the thousands of residents residing behind it.

CHICAGO SHORELINE (PED and Construction)*

There is a need for $60,000 to complete preconstruction engineering and design for Reach III of the Chicago Shoreline. In addition, $3 million of construction general funds will allow the Corps to begin this crucial erosion control project.

Protecting Our Water Environment

Metropolitan Water Reclamation District of Greater Chicago
100 EAST ERIE STREET CHICAGO, ILLINOIS 60611-2803 312 / 751-5600

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312 / 751-5700

STATEMENT OF

Metropolitan Water Reclamation District of Greater Chicago

Regarding

Fiscal Year 1997 Appropriations

for

O'Hare, McCook & Thornton Reservoirs - Chicagoland Underflow Plan

TO: U.S. House of Representatives
Committee on Appropriations
Subcommittee on Energy
& Water Development

Honorable John T. Myers
Chairman

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SUMMARY RECOMMENDATIONS

Chicagoland Underflow Plan

O'HARE RESERVOIR	$1,900,000 Construction
McCOOK & THORNTON RESERVOIRS (This 0 funding for FY '97 assumes $6.7 million in carry-over funding is made available to this project.)	$0 Construction (Carry-over)

Respectfully submitted,

Thomas S. Fuller, President
Metropolitan Water Reclamation
District of Greater Chicago

Statement of

Thomas S. Fuller

Metropolitan Water Reclamation District

of Greater Chicago

On behalf of the Metropolitan Water Reclamation District of Greater Chicago (District), I want to thank the Subcommittee for this opportunity to present our priorities for Fiscal Year 1997 and, at the same time, express our appreciation for your support of the District's projects in years past. The District is the local sponsor for three Corps of Engineers priority projects of the Chicagoland Underflow Plan: the O'Hare, McCook and Thornton Reservoirs. We are requesting the Subcommittee's full support for these vital projects. Specifically, we are asking that $1.9 million be included for the O'Hare Reservoir in the Subcommittee's Energy and Water Development Appropriations Act for FY 1997. No new FY 1997 funding is needed for the McCook & Thornton Reservoir project as we expect to use the $6.7 million in carry-over funding for this project. The following text outlines these projects and the need for the requested funding. Also, attached is a booklet indicating the municipalities in our area which benefit from these projects and the need for the requested funding. Also, attached is a booklet indicating the municipalities in our area which benefit from these projects. The booklet reviews the history of the issues involved, including newspaper articles and pertinent data from the Corps of Engineers and the Illinois State Water Survey.

The Chicagoland Underflow Plan

The Chicagoland Underflow Plan (CUP) consists of three reservoirs: The O'Hare, McCook and Thornton Reservoirs. The O'Hare Reservoir Project was fully authorized for construction in the Water Resources Development Act of 1986 (P.L. 99-662). The authorization provides for the construction of a 1,050 acre-foot floodwater storage reservoir which will be connected to the existing O'Hare segment of the District's Tunnel and Reservoir Plan (TARP). Adopted in 1972, TARP was the result of a multi-agency effort which included officials of the State of Illinois, County of Cook, City of Chicago and the District.

TARP was designed to address the overwhelming water pollution and flooding problems in the Chicagoland area. These problems stem from the fact that the capacity of the area's waterways has been overburdened over the years and has become woefully inadequate in both hydraulic and assimilative capacities. These waterways were no longer able to carry away the combined sewer overflow discharges nor were they able to assimilate the pollution associated with these discharges. Severe basement flooding and polluted waterways, (including Lake Michigan which is the source of drinking water for millions of people) was the inevitable result. We point with pride to the fact that TARP was found to be the most cost-effective and socially and environmentally acceptable alternative for reducing these flooding and water pollution problems.

The plan called for the construction of new "underground rivers" beneath the area's waterways. The "underground rivers" would be tunnels up to 35 feet in diameter and 350 feet below the surface. To provide an outlet for these tunnels, reservoirs were to be constructed at the ends of the tunnel system. Approximately, 93 miles of tunnels have been constructed or are under construction at a total cost of $2.15 billion and are operational. These tunnels capture the majority of the pollution load by capturing all of the small storms and the first flush of the large storms. Another 16 miles of tunnels costing $409 million need to be completed. The tunnels currently have no place to discharge when they fill up during large rainstorms because the O'Hare, Thornton and McCook Reservoirs have not been built yet. Without these outlets, the local drainage has nowhere to go when large storms hit the area. Therefore, the combined stormwater and sewage back up into over 550,000 homes.

The O'Hare Reservoir - Chicagoland Underflow Plan

The O' Hare Reservoir project is the first component of CUP, the Corps' reservoir plan. Understanding the severe flood threat to the densely populated north central Cook County area, Congress authorized the project in 1986. The project's 1,050 acre-feet of storage is the optimum cost-effective storage capacity for flood control purposes. In the FY 1990 Energy and Water Development Appropriations Act, Congress provided $1.5 million in first-year construction funds for the O'Hare Reservoir and specified that the reservoir be built to at least 1,050 acre-feet in size as authorized, and in full accordance with the cost-sharing percentages specified in Section 103 (a) of the Water Resources Development Act of 1986. The FY 1992 Energy and Water Development Appropriations Act provided $4.0 million in third-year construction funds to continue construction on the O'Hare Reservoir project and contained language directing the Corps of Engineers to award continuing contracts until construction is completed. Total Federal funding contributed since 1990 is $21.6 million for this project. As we have stated to this Committee over the years, the District is the local sponsor for this project and is fully committed to it. The District has already purchased the necessary land at a cost of $4.4 million and has spent $3.0 million for utility relocation. The District will continue to meet its remaining cost-sharing obligations under the law, and will contribute $1.6 million in cash for this project.

Based on the present high flood risk and potential damage due to inadequate channel capacity, we, along with our supportive congressional delegation, are requesting that the Subcommittee include $1.9 million to complete critical construction work on the O'Hare Reservoir project in the FY 1997 Energy and Water Development Appropriations Act. With this ability, we will be completing the prototype reservoir for the overall TARP system. We are pleased to be completing this first fully operating element and bringing critical flood protection to the north central Chicagoland area, an area which has been ravaged in years past.

Based on two successive Presidentially-declared flood disasters in our area in 1986 and again in 1987 and dramatic flooding last June, we believe the probability of this type of flood emergency occurring before implementation of the critical flood prevention measure is quite high. As the public agency for the greater Chicagoland area responsible for water pollution control, and as the regional sponsor for flood control, we have an obligation to protect the health and safety of our citizens. We are asking your support in helping us achieve this necessary and important goal of construction and completion.

The McCook and Thornton Reservoirs - Chicagoland Underflow Plan

The McCook and Thornton Reservoirs of the Chicagoland Underflow Plan (CUP) were fully authorized for construction in the Water Resources Development Act of 1988 (P.L. 100-676). CUP, as previously discussed, is a flood protection plan that is designed to reduce basement and street flooding due to combined sewer back-ups. These projects are the second and third components of CUP, they consist of reservoirs to be constructed in existing quarries at McCook in west suburban Chicago and Thornton in south suburban Chicago.

These reservoirs will provide a storage capacity of 15.3 billion gallons and will produce annual benefits of $75 million. The total potential annual benefits of these projects are approximately twice as much as their total annual cost. The District, as the local sponsor, is actively pursuing land acquisition for these three projects, and is prepared to meet its cost sharing obligations under P.L. 99-662.

These projects are a very sound investment with a high rate of return. They will enhance the quality of life and the safety and the peace of mind of the residents of this region. The State of Illinois has endorsed these projects and has urged their implementation. In professional circles, these projects are hailed for their farsightedness, innovation, and benefits.

We take particular pride in the Thornton Reservoir because of our contribution to the project. Our staff saw reason to invest time and talent to review and evaluate the draft recommendations for the Thornton Reservoir, which the Corps of Engineers first released in February 1986. We are proud that our review and evaluation resulted in the formulation of proposals for design changes which can produce $24 million in savings to the taxpayers at large. These changes involved coordination and consolidation between four agencies at the federal, state and local levels, and were welcomed by the Corps and incorporated in the final report.

We have been very pleased that over the years the Subcommittee has seen fit to include critical levels of funds for this important project. We were delighted to see the $11,500,000 in unobligated construction funds included in the Administration's FY 1996 budget. However, it is critical that we receive carry-over funds in FY 1997 to maintain the commitment to this project. Given the Corps' progress, Congress' direction and in order to provide critical flood relief, the District is urgently requesting that the Subcommittee include $6.7 million in carry-over construction funding for the McCook and Thornton Reservoir projects in the FY '97 Energy and Water Development Appropriations Act.

Summary

Given the broad sweep of our jurisdiction and the severity of flooding in our area, the Corps was compelled to develop a plan that would compliment the uniqueness of TARP and be sizable enough to accommodate our service area. With a combined sewer area of 375 square miles, consisting of the City of Chicago and 51 contiguous suburbs, there are 550,000 homes within our jurisdiction which are subject to flooding at any time. Of these, 185,000 homes flood on a regular basis because of inadequate conveyance and outlet capacity.

The annual damages sustained exceed $150 million. If these projects were in place, these damages could be eliminated. We must consider the safety and peace of mind of the two million people who are affected as well as the disaster relief funds that will be saved when these projects are in place. As the public agency in the greater Chicagoland area responsible for water pollution control, and as the regional sponsor for flood control, we have an obligation to protect the health and safety of our citizens. We are asking your support in helping us achieve this necessary and important goal. It is absolutely critical that the Corps' work, which has been proceeding for several years, be continued on schedule.

Therefore, we urgently request that $1.9 million be included in the FY 1997 Energy and Water Development Appropriations Act to complete construction for the O'Hare Reservoir and $6.7 million in carry-over construction funding for the McCook and Thornton Reservoirs be included in the appropriations bill.

Again, we thank the Subcommittee for its support of our projects over the years and we thank you in advance for your consideration of our request this year.

Lower Platte South
Natural Resources District

3125 Portia
P.O. Box 83581
Lincoln, NE 68501

402/476-2729
FAX 402/476-6454

February 27, 1996

Honorable John T. Myers, Chairman
Subcommittee on Energy and Water Development
House Committee on Appropriations
2372-RHOB
Washington, D.C. 20515

Dear Congressman Myers:

Please accept fifteen copies of this letter for the written record as the testimony of the Lower Platte South Natural Resources District for consideration by the Subcommittee on Energy and Water Development.

The District supports the requested $175,000 funding level for Fiscal Year 1997 for the Feasibility Study on Antelope Creek in Lincoln, Nebraska. The Reconnaissance Study of Antelope Creek completed by the U.S. Army Corps of Engineers showed that a feasible flood control project was likely and recommended that the study continue into the Feasibility Phase.

The Antelope Creek Feasibility Study commenced on March 1, 1995, after a lengthy negotiation process. The Lower Platte South Natural Resources District is the primary local sponsor for the Study under the Federal Cost-Share Agreement with the Corps of Engineers. The City of Lincoln and the University of Nebraska-Lincoln are partners with the District in this study. The Corps recently completed the Problem Identification Phase and will start in March on the Plan Formulation Phase.

This Study is being performed coincident with a major transportation corridor study sponsored by the City of Lincoln, with financial participation by the Nebraska Department of Roads and the Federal Highway Administration. The two studies dovetail and will develop transportation, flood control and drainage, and community redevelopment alternatives within the same geographic corridor. This partnering effort between two federal agencies, one state agency, and three local agencies is noteworthy, and all the participants are committed to this endeavor.

We appreciate the past funding for the Reconnaissance Study and for the Feasibility Study for the Antelope Creek Flood Control Study and are anxious to continue the study to a successful conclusion.

Sincerely,

Glenn D. Johnson
General Manager

GDJ:gdj

IOWA STATE UNIVERSITY
Institute for Physical Research and Technology

Office of the Director
Office & Lab Building
Ames, Iowa 50011-3020
515 294-6551
FAX 515 294-2361

February 27, 1996

The Honorable John T. Myers
Chairman, Energy and Water Subcommittee
Committee on Appropriations
U.S. House of Representatives
2362 Rayburn House Office Building
Washington, D.C.

Dear Congressman Myers:

I am writing to submit testimony in connection with the scheduled subcommittee hearings on the Department of Energy's Fiscal Year 1997 Appropriation Bill.

As you know, Iowa State University is the DOE's management and operating contractor for the Ames Laboratory, which has the distinction of being located centrally on the Iowa State campus. This provides a unique opportunity for close interaction between laboratory research programs and the research, education and outreach activities that are central to Iowa State's mission as a leading land grant institution.

The testimony demonstrates how this partnership relationship is of great benefit to the accomplishment of DOE missions and to the University as well. We appreciate the opportunity to provide this testimony in support of our continuing partnership with DOE.

Yours sincerely,

Joel A Snow

Joel A. Snow
Director, IPRT

JAS/cc

United States House of Representatives
Committee on Appropriations
Energy and Water Subcommittee

Hearings On: Department of Energy Appropriations for Fiscal Year 1997

February 28, 1996

Statement Submitted by:
Joel A. Snow
Director, Institute of Physical Research & Technology
Iowa State University
Ames, Iowa 50011

Iowa State University

Testimony - House Subcommittee on Energy and Water Appropriations

February 27-28, 1996

Mr. Chairman:

I appreciate the opportunity to submit testimony in connection with the Department of Energy's Appropriation for Fiscal Year 1997. In addition to the Department's important responsibilities for national security, environmental restoration and energy technology development, the Department plays a crucial role in the federal support of fundamental science.

This is particularly the case at Iowa State University, where DOE support of the Ames Laboratory represents over 50% of the University's external support for research in the physical sciences and engineering. The principal purpose of our testimony today is to bring you the DOE success story resulting from this partnership. Embedding the Ames Laboratory in Iowa State University produces high quality basic and applied science at bargain basement prices. Benefits, both direct and indirect, for the nation are widespread.

Ames Laboratory has been contributing to the missions of the Department and its predecessor agencies since the Manhattan Project. In those early days Iowa State University scientists discovered the key technological steps in purifying large quantities of uranium needed in the race to develop nuclear weapons. Subsequently these scientists did the research needed to understand properties of uranium and other related metals required for nuclear power development. Since then, Ames Laboratory has continued to be a major international center of expertise in the chemical and materials sciences and has developed programs of comparable stature in computing, applied mathematics and in applying all of these scientific disciplines to environmental restoration and waste management.

What's unique about Ames Laboratory is that it is located in the center of the Iowa State University campus. Most of the Laboratory's scientific and technical leaders are also faculty members at Iowa State and are dedicated to the land-grant university traditions of public service, as well as education and research. Iowa State graduate students, postdoctoral fellows, and even undergraduate students work at the Laboratory side by side with full-time Laboratory employees in a long-standing federal-state partnership.

The Secretary of Energy Advisory Board Report on the DOE Laboratories, chaired by Mr. Robert Galvin, observed that it is important for all the national laboratories to have close ties with universities. At Iowa State the ties could hardly be closer since so many of the Ames Laboratory staff have dual citizenship as university faculty members and students. The relationship provides for a very strong set of incentives to maintain the high quality of the research. Not only does Ames Laboratory, like other labs, have visiting review committees that examine periodically the quality of the scientific programs, but also the faculty members, postdoctoral fellows and graduate students are held to the rigorous quality standards required for them to make progress in their university roles. This is particularly the case where Ames Laboratory research provides the basis for Masters and PhD theses, and for promotion decisions, that are scrutinized very carefully within the university.

The annual appraisals of the laboratory by DOE show, year after year, the very highest ratings for the quality of Ames Laboratory scientific research. In addition, the Department of Energy funding underwrites the training of the next generation of leading scientists in the fields in which the laboratory specializes.

The overall record of success at the Ames Laboratory is highly impressive. Where the Department has used competitive processes to select new initiatives in such fields as material sciences, Ames Laboratory has been extraordinarily successful in comparison with much larger DOE labs. In 1993 an initiative was selected on magneto-optic materials, in 1994 on photonic band gap materials and in 1995 on the surface and interface properties of quasicrystals. Each of these projects is in a broad generic area that has potential applications to a wide range of needs of private industry. Each project involves a multidisciplinary team approach, drawing on expertise from outside, as well as inside, the Ames Laboratory. The work on photonic band gap and magneto optic materials may lead to whole new types of ultra high speed electronic and photonic devices, while the quasicrystal work is leading to a new class of high strength thin film protective surfaces for metal and plastic parts.

With the assistance of ISU's extensive experience in technology transfer to private industry, Ames Laboratory has been particularly effective in generating patentable inventions that have then been licensed to private industry for further development. Ames Laboratory has been among the leaders in the receiving R&D 100 Awards given by R&D Magazine for the 100 most commercially-promising innovations each year, even though Ames Laboratory is far smaller than most DOE laboratories and has had relatively little funding from the technology development and technology transfer programs of the Department. Moreover, by being embedded directly in the University, Ames Laboratory has ready access to the expertise of 70 academic departments and almost 100 other research centers and institutes found throughout the University. The result is that Ames Laboratory can assemble a team of experts rapidly to address almost any significant scientific issue and can respond flexibly to new federal needs and requirements.

The Ames Lab-Iowa State relationship thus leads to very significant benefits. For the DOE, it ensures that very high quality and innovative mission-related research is carried out. For the University, it provides stable participation in internationally recognized scientific programs for faculty and students. For the taxpayer, the costs of carrying out research in this mode are significantly lower than at most other laboratories.

Through combining a high level of scientific creativity with a high level of cost-effectiveness, Ames Laboratory is probably the best bargain in the entire Department of Energy research enterprise. The DOE research laboratories, of course, are a system, and Ames Laboratory's long-range success depends also on the success of our peer institutions, particularly those that house unique scientific facilities or bring special talents to research partnerships. While we are not equipped to house landmark facilities like the Advanced Photon Source or the Tevatron accelerator, we do provide scientific talent to help use such facilities in contributing to the nation's overall scientific endeavor.

Mr. Chairman, we believe that, taken together, the DOE laboratory system and the universities that work so closely with these laboratories, can continue to make extraordinarily important contributions to strengthening the nation's science and technology base. We believe that Ames Laboratory and Iowa State University have proven to be particularly effective in carrying out the DOE's scientific missions. We hope that your own strong support of this important national investment in our future will continue.

Mr. Chairman, that concludes my prepared remarks and I would be glad to answer any questions that you may have.

University of Rochester
College of Engineering and Applied Science

Robert L. McCrory
Director
Laboratory for Laser Energetics
250 East River Road Rochester, New York 14623-1299

26 February 1996

TEL 716 275 4973

The Honorable John T. Myers
Chairman
Subcommittee on Energy and Water Development
Committee on Appropriations
2372 Rayburn House Office Building
Washington, DC 20515-1407

Dear Congressman Myers:

I respectfully request that the attached statement for the record be included as part of the Subcommittee's record for the hearing concerning the Department of Energy's budget request (Defense Programs) for FY97.

The University is most appreciative of the considerable support that you and the Subcommittee have given the inertial fusion program at the University of Rochester.

Thank you for your consideration of this request.

Sincerely,

Robert L. McCrory
Professor

RLM:j

Enclosure: "Inertial Confinement Fusion at the University of Rochester, February 1996"

UNITED STATES HOUSE OF REPRESENTATIVES

104th Congress

Second Session

APPROPRIATIONS COMMITTEE

Subcommittee on Energy and Water Development

Statement for the Record

Inertial Confinement Fusion at the University of Rochester

submitted by

Robert L. McCrory
Professor and Director
Laboratory for Laser Energetics
UNIVERSITY OF ROCHESTER
250 East River Road
Rochester, NY 14623-1299

February 1996

Summary and Requested Action

The Department of Energy's (DOE) Defense Programs' strategy relies on maintaining the technology infrastructure and core competencies to insure that the U. S. nuclear deterrent is credible while contributing to the U. S. research base. The National Inertial Confinement Fusion (ICF) program plays a central role in the stockpile stewardship technology program with the threefold laboratory mission: (1) To demonstrate the ignition of small masses of thermonuclear fuel, (2) To provide access to physics regimes of interest in nuclear weapon design and to provide nuclear-weapons-related physics data, and (3) To provide an above-ground simulation capability for nuclear weapons studies and effects. With cessation of underground nuclear tests and contraction of the nuclear weapons research and development effort, ICF is a vital component of the DOE's technology-based stockpile stewardship program. A potential long-term benefit is that ICF could provide a source of environmentally acceptable and economically competitive civilian power.

The University of Rochester's Laboratory for Laser Energetics (LLE), a participant in ICF research since the 1970s, is the only ICF program that has been jointly supported by the Federal government, State government, industry, utilities, and a university. At relatively small comparative cost to the government, LLE makes contributions to the National program and transfers technology to the public and private sectors through the training of graduate students and interactions with industry and other Federal laboratories. The facility serves as a National laser users' facility benefiting scientists throughout the country. The OMEGA laser is now the highest power ultraviolet fusion laser in the world.

The Laboratory's prime mission is to validate the direct-drive option for ICF. There is a close collaboration among LLE, Lawrence Livermore National Laboratory (LLNL), and Los Alamos National Laboratory (LANL) to support the demonstration of ignition and gain in the laboratory, the objective set by the National Academy of Sciences' (NAS) review of the National program in 1990.

Reviews of the Rochester program by the NAS and the Inertial Confinement Fusion Advisory Committee (ICFAC) recommended the OMEGA Upgrade and the potential of direct drive as high priorities in the National program. The OMEGA Upgrade was successfully completed on time, on original budget ($61,000,000 total construction cost), and exceeded all acceptance test criteria (45,000 Joules of ultraviolet light—50% above the 30,000 Joule design specification!). OMEGA is the newest of Defense Programs' facilities. We take pride in having established a new neutron yield record of 100 trillion neutrons. The OMEGA Upgrade is the only facility that can demonstrate the scientific potential of direct drive to provide a modest- to high-gain energy option for the Nation. ICFAC, in its February 1996 report[2] emphasized the priority of conducting cryogenic experiments on OMEGA by FY99. The DOE-approved funding profile in the Cooperative Agreement for the LLE program, for operation of the new facility is shown in the table below.

	FY93	FY94	FY95	FY96	***FY97***
Operations	$15,590,000	$16,498,180	$17,165,770	$18,191,770	***$19,150,770***
Capital	$23,410,000	$8,700,000	$3,600,000	$1,900,000	***$2,000,000***
Total	$39,000,000	$25,198,180	$20,765,770	$20,091,770	***$21,150,770***

To provide the operations support for program deliverables and operation of the OMEGA Upgrade, and maintain the training programs at Rochester, a total authorization and appropriation of $21,150,770 ($19,150,770 for operations, and $2,000,000 for capital equipment) is requested for the University of Rochester for FY97.

Background

Thermonuclear fusion is the process by which nuclei of low atomic weights, such as hydrogen, combine to form higher atomic weight nuclei such as helium. In this process some of the mass of the original nuclei is lost and transformed to energy in the form of high-energy particles. Energy from fusion reactions is the most basic form of energy in the universe; our sun and all other stars produce energy by thermonuclear fusion reactions occurring in their interior. Fusion is also the process that provides the vast destructive power of thermonuclear weapons.

To initiate fusion reactions, the fuel must be heated to tens of millions of degrees. In stellar bodies, containment is possible because of the large gravitational force. On earth, ICF involves the heating and compression of fusion fuel by the action of intense laser or particle beam drivers. There are two approaches to ICF, direct and indirect drive: indirect drive involves the conversion of beam energy to x rays to compress a fuel capsule in an enclosure called a hohlraum; direct drive involves the direct irradiation of a spherical fuel capsule by energy from a laser and may be more efficient energetically than indirect drive. For either approach, if very extreme density and temperature conditions are produced, it is possible to produce many times more energy in these fusion reactions than the energy provided by the drivers.

Inertial Confinement Fusion Program Focus

The 1990 NAS review of the ICF program[1] identified the program priorities that were subsequently endorsed and are being pursued by the DOE. The NAS report states *"The expeditious demonstration of ignition and gain should be the highest priority of the inertial confinement fusion (ICF) program. Adequate funding toward this goal must be assured."*

The NAS report identified the glass laser program as the best path to demonstrate ignition (initiation of a thermonuclear reaction that can be self-sustaining) and propagating thermonuclear burn. A recent independent review completed by the JASONS[3] stated *"The inertial fusion program represents the closest approach we know of to a number of critical parameters in the weapon environment...Naturally we expect continued progress in further evaluating ignition prospects from experiments on Nova and on OMEGA Upgrade, a direct-drive laser facility at the University of Rochester..."*

DOE has accepted the recommendations of the reviews, and substantial progress has been made. Encouraging results from indirectly driven targets from the NOVA facility at LLNL have been obtained. Based on these data ICFAC recommended, DOE approved, and the Congress funded proceeding with the design phase for the National Ignition Facility (NIF). The purpose of the NIF is to demonstrate ignition, propagating burn, and modest gain in the laboratory. The NIF project completion is presently projected to be 2002 if the project is funded and approved as proposed.

LLE is the primary focus in the U. S. for the direct-drive approach to ICF. The NAS report states that direct drive may ultimately prove to be the best approach to ICF and provide the most efficient path to a laboratory-scale thermonuclear capability for both energy research and defense technology needs.

OMEGA is the only facility that can demonstrate the scientific potential of direct drive to provide modest- to high-gain on the NIF.

For several years an extensive collaborative program between LLNL, LANL, and LLE has provided data on basic physics, beam smoothing, and unstable hydrodynamics using available laser facilities, such as NOVA. This collaboration is continuing on the OMEGA Upgrade. The joint effort includes both nuclear weapons physics experiments and ICF experiments. This effort is a key element in the stockpile stewardship technology program. Physics issues for both ICF and weapons issues for the stockpile stewardship program fall into five broad categories: irradiation uniformity, laser energy coupling and transport, laser-plasma interaction physics, hydrodynamic stability, and hot-spot and main-fuel-layer physics. The OMEGA Upgrade and NIF programs are complementary. Figure 1 illustrates the schedule for the glass laser facilities to be used in the National program plan for inertial fusion.

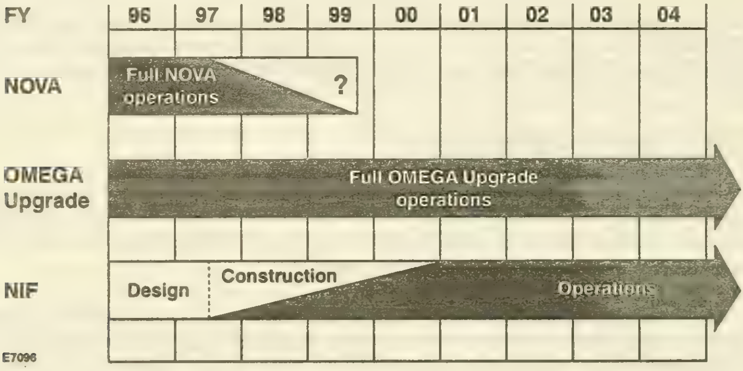

Fig. 1 Schedule for the operation of NOVA, the OMEGA Upgrade, and the NIF.

The figure illustrates how the National program has been structured to provide a full complement of mature experimental facilities from the present to the future. If the NIF adheres to DOE's present schedule, construction of NIF will result in the eventual shut down of the NOVA laser, with OMEGA as the principal facility to continue experimental work during the final phases of NIF construction. Although the LLE program is focused on direct drive, OMEGA is capable of indirect drive (hohlraum) experiments as well. Both LANL and LLNL presently plan to use the indirect drive capabilities of OMEGA in the future. An indirect-drive experiment will be conducted on OMEGA during the present (FY96) fiscal year.

The LLE Program for FY97

The OMEGA Upgrade system delivers 45,000 Joules of temporally shaped, ultraviolet (351 nm) light to direct-drive targets. This is the highest energy ever delivered directly to a capsule in a laser-fusion experiment. By comparison, for example, the NOVA capsules are driven with up to 3,000 Joules of energy *($^1/_{15}$th as much as direct drive with the OMEGA facility).* The larger energy will yield critical data for ignition-size capsules. Both LANL and LLNL will collaborate with LLE on many of these experiments.

The goal of the glass laser direct-drive target physics program is to evaluate the performance of capsules near ignition conditions. In addition to providing data for the NIF, experiments can validate the direct-drive configuration on the NIF that could result in two to three times higher fusion gains (gain > 50) than those available with the baseline (indirect-drive) NIF design.

An important element of the direct-drive program on the OMEGA Upgrade is to demonstrate beam smoothing techniques that ultimately will produce on-target irradiation uniformity of 1% to 2%. The LLE-developed smoothing by spectral dispersion (SSD) approach was implemented on the OMEGA Upgrade in January of 1996 for precision direct-drive experiments to be conducted later this year. This LLE technique has been implemented on NOVA, and variants of the approach are being incorporated in the NIF design to meet the irradiation uniformity requirements of both direct- and indirect- drive targets.

The development of cryogenic fueling is necessary for the post-NOVA-technical-contract ignition optimization experiments as well as for the hydrodynamically equivalent target experiments to be conducted on the OMEGA Upgrade. In collaboration with LLNL and General Atomics, a prototype cryogenic capability to be completed in FY99 (a change from FY98 due to funding short falls) is being developed for the OMEGA Upgrade. The ICFAC recommended in their final report: "*The committee believes that experiments are essential to assessing real target performance and benchmarking code calculations. The first opportunity to do such experiments on cryogenic targets approaching NIF size will be on Omega...It is very important that this effort be kept on track with proper priority and not delayed further.*"[2] Cryogenic capability, advanced diagnostics development, and beam smoothing are all required for the NIF. The OMEGA Upgrade will be the principal National facility to develop these technologies for the program.

LLE attaches a high priority to providing education and training in the field of ICF and related areas. These include theoretical and experimental plasma physics, laser-matter interaction physics, high-energy-density physics, x-ray and atomic physics, ultrafast optoelectronics, high-power laser development and applications, nonlinear optics, optical materials, and optical fabrication technology. A total of 56 graduate students and 19 faculty members of the University of Rochester are currently involved in the unique research environment provided at LLE and represent many departments within the University, including Mechanical Engineering, the Institute of Optics, Physics and Astronomy, Electrical Engineering, and Chemical Engineering. More than 65 undergraduate students receive research experience annually at LLE. A high-school summer science program exposes ten talented students each year to the research environment and encourages them to consider careers in science and engineering. Many LLE graduates have made important scientific contributions in National laboratories, universities, and industrial research centers.

References

1. Review of the Department of Energy's Inertial Confinement Fusion Program Final Report (National Academy Press, Washington, DC, 1990).
2. Inertial Confinement Fusion Advisory Committee Report to Assistant Secretary Reis (February 21, 1996).
3. "Science Based Stockpile Stewardship," JASON Report JSR-94-345 (The MITRE Corporation, McLean, VA, November 1994).

TRTR NATIONAL ORGANIZATION OF TEST, RESEARCH, AND TRAINING REACTORS

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March 1, 1996

The Honorable John T. Myers, Chairman
Subcommittee on Energy and Water Development
U. S. House of Representatives Committee on Appropriations
2362 House Rayburn Office Building
Washington, DC 20515

Dear Congressman Myers:

The National Organization of Test, Research, and Training Reactors (TRTR) respectively requests that the attached testimony be included in the record of your subcommittee's appropriation hearings on the FY97 budget. Specifically, we wish to comment on the importance of maintaining productive research reactor facilities on campuses throughout the nation which are vital to the research of the many multidisciplinary users of those facilities.

The primary issue we address is the "University nuclear science and support" line item in the budget for the Department of Energy, Office of Nuclear Energy. In our testimony, we characterize the critical national needs that are served by this support and review progress in addressing the recommendations of recent studies of these topics by the National Academy of Sciences and the Department of Energy. Our conclusion is that the funding level that existed early in the decade is appropriate and should be restored for FY97.

We thank you for your past and continued support of this important facet of our national educational infrastructure.

Sincerely yours,

M H Voth

Marcus H. Voth, Chairman
TRTR University Reactor Support Committee

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Attachment

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TESTIMONY

Submitted to the

UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

By

Marcus H. Voth
Director
Radiation Science and Engineering Center
The Pennsylvania State University
and
Chairman
University Reactor Support Committee of the
National Organization of Test, Research
and Training Reactors

March 1, 1996

INTRODUCTION AND SUMMARY

This testimony is submitted by Marcus H. Voth, Director of the Radiation Science and Engineering Center, The Pennsylvania State University and Chairman of the University Reactor Support Committee of the National Organization of Test, Research, and Training Reactors (TRTR). TRTR is made up of the directors and managers of US research and test reactors, including 34 currently operating university research reactors (URRs) on 32 campuses in 25 states.

On behalf of TRTR, we wish to thank this subcommittee for its past vision and leadership. During the 1980's, URRs were permanently shut down at the rate of two per year. With the support of this committee, $1M per year was provided for FY90 through FY93 to upgrade URR instrumentation. It is noteworthy that there were no additional shutdowns during these years. However, this important support was not appropriated from FY94 through FY96 during which time three additional URRs were permanently shut down. We ask that Congress take the positive steps proposed in this testimony to stop this trend.

This testimony supports the following conclusions:

- **University reactors are valuable national resources; they are the source of neutrons for research in such diverse areas as medical isotopes, human health, life sciences, environmental protection, advanced materials, and food science.**
- **University reactors provide highly qualified, technically knowledgeable personnel needed by national laboratories, the federal government, academia, and private industry for basic and applied research critical to US technological competitiveness.**
- **The National Academy of Sciences recommends federal support to maintain, refurbish, modernize and upgrade existing URRs, a much less costly alternative than replacing them. We believe that this should be done by first restoring programs that were previously funded for all URRs and second to create URR Centers of Excellence for the more research-prolific programs.**
- **The "University nuclear science and support" line item in the FY96 budget was $3.5M, a significant reduction from funding in previous years. We respectfully request and submit justification for restoring the FY90 through FY93 level of funding which is equivalent to $12.2M per year.**

MISSION AND CONTRIBUTIONS OF URRs

University research reactors in the United States form a fundamental and vital component in a broad spectrum of our national research and education infrastructure critical to such national priorities as health care, education, environment, and technology transfer. They are a source of neutrons for **multidisciplinary research** efforts resulting in contributions to the fields of physics, chemistry, biology, medicine, epidemiology, archeology, environmental sciences, material sciences, fluid mechanics, geology, energy production and many other areas.

In **education**, URRs are used for laboratory instruction in all these fields with emphasis on radiation measurement, reactor science and engineering, and applications of radiological techniques. Many of the reactors serve as centers for precollege education programs offered for high school students and teachers who come to the reactor for instructional programs and research. URRs also form the base for education of future scientists and engineers in the above mentioned broad range of disciplines that use reactor based techniques to solve unique problems.

Compared to a **national user facility**, URRs often provide a superior environment for graduate research because of less rigid facility scheduling, enhanced flexibility, lower operating costs, and available local supporting capabilities. They are a rich resource for radiation sciences research, and can serve as a development base for new techniques and advanced instrumentation to be used at national centers.

The **professions entered** by URR users are as diverse as their research disciplines. Many who study biology, chemistry, epidemiology, and radiological health may enter professions in medicine and human health. Others may enter professions in advanced materials research and development, energy resources development and production, and environmental programs. Education and research experience received at URRs benefit future employers including government agencies, national laboratories, medical practice, academia, and private industry; this is one of the most effective and efficient forms of **technology transfer**.

The missions of URRs and **nuclear engineering education** are frequently confused as is their relationship to the commercial nuclear power industry. Nuclear engineering education involves the study of radiation science, including the operation of nuclear reactors. URRs serve as radiation sources and laboratory facilities for nuclear engineering students. However, nuclear engineering is only one of the numerous disciplines using URR facilities. While the commercial power industry employs nuclear engineers, the majority of graduates find employment in other sectors. The need for state-of-the-art URR facilities transcends the status of nuclear power development through the numerous other applications for radiation science.

University research reactors are used for **environmental studies** in areas such as acid rain and pollution dispersion. They also contribute to nuclear power technology, the only demonstrated energy source which assures sustainable development of our planet while preserving our reserves of fossil fuels for consumer and agricultural product feed stocks rather than combustion fuels. The **nuclear test ban treaty verification** is also being supported. Remote radiation monitoring instrumentation able to sense clandestine weapons testing (components of a global atmospheric radionuclide detection system) is being developed and tested at a URR facility.

With the attention currently focused on national health care, it is appropriate to address URR **contributions to medicine**.

- Many URRs contribute to medicine through basic research in the life sciences such as identifying molecular structures and interactions. They also produce and investigate applications of radioisotopes.

- One URR (the University of Missouri) is high enough in power to produce significant quantities of a wide variety of radioisotopes for medical application and life sciences research. University researchers there study new ways to use radioisotopes for therapy of cancer and other ailments as well as using them to answer important basic questions about living organisms. The radioisotopes from this URR also support similar research across the country.

- Another URR (Massachusetts Institute of Technology) is investigating the direct neutron irradiation of deep-seated melanoma (skin cancer) and brain tumors that have taken up a boronated drug. This treatment is termed Boron Neutron Capture Therapy (BNCT). Patient treatments and animal studies have suggested that BNCT may be effective in combating these diseases. In contrast, these diseases are invariably fatal when treated with conventional therapies.

- Neutrons and radioactive isotopes are such common research tools that today well over half of the new drugs approved by the FDA are developed using radiation based science and technology. Many of the 10,000,000 nuclear medicine tests done annually eliminate the need for exploratory surgery, reducing both the pain and the cost of treatment while improving the quality of the diagnosis.

URR FUNDING NEEDS

Most URRs were constructed in the late 50s and early 60s with major federal financing. Since then, operating costs have been borne primarily by the host institutions with relatively little funding available for major maintenance, equipment replacement, or upgrades. Half of the URRs commissioned in the United States have been permanently shut down. Foreign facilities have taken over the lead in technological competitiveness.

A 1988 report by the National Academy of Sciences entitled **University Research Reactors in the United States-their Role and Value**, examines the role of URRs in the areas of research, education, and service, especially in light of the decreasing numbers of reactors. The report concludes that "Policies that will limit closures and encourage modernization of a substantial subset of existing reactors, sufficient in numbers and types to meet national and academic needs for research, education and service are clearly in the national interest." The report recommends an annual level of federal funding for URRs of $20M (in 1988 dollars) but in fact identified an overall need for approximately $35M per year.

A report to Congress in response to the Energy Policy Act of 1992 substantiates the Academy recommendation. Specific needs totaling nearly $80M were identified. Upon analyzing the data, the report concluded that $6M per year be appropriated for five years, starting in FY96. (Reference: Secretary of Energy Hazel O'Leary to Vice President Al Gore, May 19, 1994.) While the special congressional appropriation of $1M per year for FY90 through FY93 met some specific instrumentation needs, it was far short of that required for significant upgrades and new capabilities. Appropriations should be expanded to keep pace with the rate of obsolescence.

We realize that in the nation's current fiscal environment it is unrealistic to expect the full level of support recommended by these studies. However, it is in the nation's best long term interest to take two important steps at this time. First, those programs supporting all URRs through "University nuclear science and support" in the Department of Energy, Office of Nuclear Energy, Science and Technology budget should be restored to previous funding levels. Second, consideration should be given to new sources of funding to create five to seven Centers of Excellence at the nation's more productive research URRs through a peer review process. The Center of Excellence concept was presented in oral testimony before the House Appropriations Subcommittee on Energy and Water Development by Professor Neil Todreas of the Massachusetts Institute of Technology on February 29, 1996, and will not be repeated here.

The "University nuclear science and support" funding has traditionally provided support for both academic programs in Nuclear Engineering/Radiation Science Technology and for University Research Reactor facilities. This testimony only addresses the URR facility portion of the budget line item; the academic programs are supported by testimony of another group, the Nuclear Engineering Department Heads Organization (NEDHO). From FY90 through FY93 these combined programs were funded at over $10M per year. The total funding was stepped down to $3.5M in FY96. The cost of restoring programs in FY97 to the FY90 through FY93 level, compared to the appropriated FY96 level, is as follows:

University Nuclear Science and Support Needs (in millions)

	FY97 Request	FY96 Appropriation
Nuclear Engineering/Radiation Science Technology		
Research Grants	$5.0	$0.0
Fellowships	1.0	0.0
Utility Match Grants	0.8	0.8
Subtotal	$6.4	$0.8
University Research Reactor Facilities		
Reactor Fuel	$3.8	$2.2
Reactor Sharing	0.6	0.5
Reactor Instrumentation	1.0	0.0
Subtotal	$5.4	$2.7
TOTAL	$12.2	$3.5

Each of these URR needs is further explained as follows.

Reactor Fuel - Since the Atoms for Peace program when the federal government was encouraging universities to join in developing new knowledge and applications of radiation science, the fuel cycle costs for university reactors were provided by the federal government. Included is the loan of uranium, fuel fabrication, shipping of new and irradiated fuel, and acceptance of the spent fuel elements. The minimum fuel replacement costs are $2.2M per year. Programs are in progress to improve fuel cycle economics by designing extended life fuel elements. There is also interest in removing from service fuel with over two decades of operation. In addition, the government has taken the position that the use of highly enriched uranium (HEU) at URRs (and throughout the world) should be terminated whenever technically feasible as funds are available. HEU conversions have been progressing on a systematic basis. The cost of all these URR fuel-related issues totals $3.8M per year.

Reactor Sharing - The reactor sharing program must rate among the most cost-effective and successful expenditures of federal funds, as it makes geographically distributed URRs effectively available to many users as unique regional resources. This program allows faculty and students from other universities, community colleges, high schools, and junior high schools to utilize university reactors. This has led to research projects and lines of inquiry which might have never occurred had there not been a mechanism to access these facilities. This is typically funded at $0.6M but justified costs routinely exceed the funds available. Furthermore, funds are not available for host institution users under the existing program, a provision that should be changed. To cover these additional needs, the minimum funding needed for an effective reactor sharing program is $2.0M per year. In an attempt to keep within past levels of expenditures, however, we are not asking that the expansion of the program be done at this time, leaving the recommended level of funding at $0.6M per year.

Reactor Instrumentation - The cost to maintain university reactors and associated laboratories as state of the art teaching and research facilities is substantial. These facilities, initially constructed with major federal support, have aged without significant investment beyond the basic operating needs. Foreign facilities have been supported at much higher levels and have in turn taken over the technological competitiveness in many areas. Upgrading existing facilities is much more cost effective than replacing them. A relatively small investment in new equipment proved to be very cost-effective during FY90 through FY93 when an annual pool of $1.0M was provided. We are not pursuing the $20M per year recommended by the National Academy of Sciences report or the $6M per year recommended by the Secretary of the Department of Energy at this time for two reasons. First, the proposed Centers of Excellence will meet some of the identified needs. Second we are simply asking that programs be restored to previous levels and are not seeking major increases in light of federal fiscal pressures. Therefore, the instrumentation program providing a pool for instrumentation upgrades at all URRs is recommended to be restored at $1.0M per year.

The importance of initiatives such as those described above is that they send a powerful message to administrators in the academic community that national leaders do see a need for URRs and are taking steps to improve the situation. **Since no such funding was appropriated from FY94 through FY96 it is particularly important for academic administrators to see tangible evidence of significant, timely support to maintain their confidence in the federal government's interest in a healthy infrastructure of URR capabilities.**

CONCLUSION

University research reactors have made major contributions and continue to actively support national priorities such as health care, education, environment, and technology transfer. However, these facilities are aging and require fiscal support if they are to remain in operation, continue to be capable of cutting-edge research, and compete technologically with foreign research reactors. By far the most cost effective approach to optimizing our nation's research reactor capability is to maintain, refurbish, modernize, and upgrade our existing facilities. This should be accomplished with a total of $12.2M for "University nuclear science and support" in the DOE-NEST budget of which $5.4M supports URR facilities and $6.8M supports academic programs. In addition, Centers of Excellence should be created at the nation's most research-intensive URRs under a separate initiative.

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March 4, 1996

The Honorable John T. Myers, Chairman
Subcommittee on Energy and Water Development
U. S. House of Representatives Committee on Appropriations
2362 House Rayburn Office Building
Washington, DC 20515

Dear Congressman Myers:

The Nuclear Engineering Department Heads Organization (NEDHO) respectively requests that the attached written testimony be included in the record of your subcommittee's appropriation hearings on the FY97 budget. Specifically, we are commenting on the importance of maintaining viable nuclear engineering education and research programs on campuses throughout the nation which will be vital to the maintenance of the nuclear option in the coming decades.

The primary issue we address is the "University reactor fuel assistance and support" line item in the budget of the Department of Energy, Office of Nuclear Energy. The budget submitted to Congress requested $6,900,000. We characterize the critical needs that are served by this support and review the progress of addressing the recommendations of a recent study of this topic by the National Academy of Sciences.

We thank you for your past and continued support of this important facet of our national education infrastructure.

Sincerely,

John W. Poston, Sr.
Professor and Head and Chair,
Nuclear Engineering Department Heads
Organization

TESTIMONY

Submitted to the

U.S. House of Representatives

Committee on Appropriations

Subcommittee on Energy and Water Development

by

John W. Poston, Sr.

Chairman, Nuclear Engineering Department Heads Organization (NEDHO)

March 1, 1996

Chairman Myers and Members of the Committee:

This testimony is submitted by John W. Poston, Sr., Chair, Nuclear Engineering Department Heads Organization (NEDHO). NEDHO is made up of the heads of 35 Nuclear Engineering Departments or Programs from universities in 25 different states. On behalf of NEDHO, I wish to thank this subcommittee for its past vision and leadership.

BRIEF SUMMARY OF REQUEST

I am here to present testimony related to the future of nuclear engineering education research, specifically as it relates to education of the future engineers and scientists who will serve in industry and government in this, and closely aligned fields. The Department of Energy's 1996 budget includes $3,500,000 for the following activities: reactor fuel, reactor sharing and utility matching grants. We recommend that the committee allocate $12,200,000 in FY97 for support to cover critical needs in nuclear engineering education and research, including maintaining a strong and viable research reactor capability in the nation. Approximately $6,800,000 represents an investment in nuclear engineering education through research, matching grants with utilities and fellowships, and another $5,400,000 represents support for reactor fuel, reactor sharing and reactor instrumentation upgrades. We also recommend that a single federal agency, the Office of Nuclear Energy, Science and Technology of the Department of Energy (DOE), be designated as the lead agency to oversee the needs of graduate education and research in nuclear engineering at the nation's universities. This testimony is in support of the nuclear engineering education research and fellowship portion of the program.

BACKGROUND

NEDHO consists of 35 departments and programs in U.S. universities, with their principal discipline being nuclear engineering, which involves the design and operation of nuclear reactors and the application of radiation and nuclear techniques to science and engineering. Most of our departments are very broad-based, including disciplines such as health and medical physics, radiation detection and measurement, thermal/hydraulics and materials science related to nuclear processes, nuclear fusion and plasma physics, and the design and performance of fission reactors for the production of electricity. We educate not only the engineers for the nuclear power industry, but professionals such as the health physicists who assist with radioactive waste disposal and environmental restoration activities, the medical physicists involved in cancer diagnosis and treatment, and the materials scientists who develop and test new materials for industry and research using radiation-based techniques.

FEDERAL SUPPORT FOR NUCLEAR ENGINEERING EDUCATION RESEARCH

The federal government has generally looked to the DOE to provide the guidance and support needed for the educational and research activities in nuclear engineering at the universities. The National Science Foundation (NSF) has traditionally deferred support for academic nuclear engineering programs to the DOE. For example, faculty members in other engineering or science disciplines can submit proposals to the NSF (or DOD) for funding of research and educational programs, but nuclear engineering faculty will be discouraged from doing this, with DOE being cited as the appropriate federal agency to support such requests. Prior to FY96 year, the DOE had never embraced this concept and had not provided within its budget, sufficient resources to support these programs at an adequate level. Congress recognized the need for such programs and provided such support at a level of $10,100,000 M from FY90 through FY93. This funding was reduced to $3,700,000 in FY94 and FY95 when Congress ceased support of the research grant program and the DOE failed to incorporate parts of the program into its budget. In FY96 DOE did incorporate some parts of the program into a larger budget request of $6,100,000, but Congress approved only $3,500,000, resulting in termination of the fellowship program.

The Congressionally-mandated programs had provided financial support for a number of activities in nuclear engineering education and research over this six year (1988-1993) period, specifically:

- Research grants
- Fellowships for promising U.S.-citizen M.S .and Ph.D. students
- Industry matching funds initiative that leverages funds from nuclear electric utilities
- Support of operations and modifications of university research reactors.

The following list describes these activities in more detail, except for those related to the research reactors, which are covered in separate testimony from the national organization of Test, Research, and Training Reactors (TRTR):

Research Grants. The research grant program is the first component of the nuclear engineering education program. This program is extremely important because it provides opportunities for faculty and students to explore long-term, innovative initiatives that could have a great impact in applied nuclear science and technology. Projects are performed over two to three years allowing doctoral students the time necessary to complete their research and dissertation as part of the project. In the six years FY88-FY93, over 800 proposals were submitted by faculty involved in nuclear engineering. DOE review panels recommended that 250 of these be supported because of their relevance to the national needs, or their promise of possible major new technological development. Due to the limited funds, only 80 of these recommended grants were actually funded, representing a three-fold shortfall in funds to support the proposals that could significantly enhance the nation's future competitive position in the world markets. This acceptance rate of approximately 10% is a factor of three less than the NSF acceptance rate of close to 30%. Thus, this program was among the most competitive in the nation and resulted in the highest quality research. The following list describes just of few of these projects:

- advanced processes for high level waste disposal (Purdue and Louisiana State),
- advanced lasers utilizing neutrons from nuclear reactors (Illinois and Missouri),
- artificial intelligence systems for enhanced power plant safety and performance (MIT, Ohio State, Penn State, Tennessee, and Texas A&M),
- radiation damage to pressure vessel steels and core components (California-Santa Barbara, Carnegie-Mellon, Illinois, and Michigan), and
- medical uses of neutrons or lasers to cure cancer (Missouri and Georgia Tech).

I estimate that about 250 graduate students, most of whom eventually wrote their theses on the particular research project, were supported in the six years the program was in place. All projects were canceled and the students were left without support when the program was left unfunded in FY94. The loss of this program is likely to have serious consequences when considering the human resource needs by government and industry for nuclear engineering graduates. We recommend reinstatement of the research grant program at the previous level (FY88-FY93) of $5,000,000.

Graduate Fellowships. A second component of the nuclear engineering education program relates to graduate fellowships. These four year student stipends attract exceptionally high quality U.S. citizens to pursue Ph.D. programs. The demand for such graduates exceeds the current supply because of the diversity of areas in which they perform research, from studies of materials and radiation damage to advanced controls and artificial intelligence, to improved understanding of thermal-hydraulic behavior, to the design of radiation detection methods for the protection of personnel. Without the long term financial support provided by fellowships, many of the most capable B.S. graduates will bypass graduate school for high paying industry positions, and their participation in the long-term research and technology developments needed to maintain U.S. competitiveness will be lost.

The supply of highly trained Ph.D.s is becoming more important in a world where nuclear power is gaining increased acceptance in poorer nations where the access to specialized training in reactor safety and radiation protection is limited. It will increasingly fall to graduates of U.S. universities to provide the leadership in the safe, economic and competitive production of electricity by nuclear power around the globe. A shortage of manpower will seriously curtail our ability to meet this challenge. About 40 graduate fellowships, typically covering four years of support for doctoral students, are required to meet the recommendations of the National Academy of Sciences (NAS) to encourage talented U.S. students to enter this field [1]. The FY96 budget did not provide for these fellowships, and as a consequence, there will be no new fellowship competition in FY97. We recommend reinstatement of the graduate fellowship program at the previous level of $1,000,000 which is the level necessary to maintain the supply of highly trained Ph.D.s for industry.

Utility Matching Funds. The third element of the nuclear engineering education program is the Matching grants initiative. This Industry/DOE program provides up to $50,000 per year from industry, matched by DOE, to a university to support nuclear engineering research and education. This innovative and unprecedented program was initiated by nuclear electric utilities who were concerned that academic departments in nuclear engineering would not be able to maintain adequate academic programs to provide the necessary manpower to keep nuclear power as a viable option for providing electricity into the next century. This program is instrumental in promoting stronger ties between nuclear engineering departments and the nuclear industry, and will increase the efficiency in the use of DOE funding through matching money. This initiative also provides enormous flexibility for related activities such as faculty recruitment, which is a costly expense for a department. The program originally included industry grants to 16 departments, totaling about $0.8 M each from the utilities and the DOE. The program was fully funded in the first year, but the DOE contribution was reduced to $0.5 M in year 2. The utilities have continued to honor their full obligation in all four years. We recommend continued support of the program at the current level of $800,000 in the FY97 budget in order to meet the objectives of the Matching grants program.

RATIONALE FOR FEDERAL SUPPORT

Nuclear engineering programs are unique in their blend of engineering and science, and it is unlikely that other disciplines can provide the specialized training and curriculum that characterizes nuclear engineering. [1] It is important that the DOE provide for this relatively modest program in its budget in order to prevent the further decline of nuclear engineering programs and research reactors, thus jeopardizing the goal of preserving the nuclear energy option for the 21st century. Over 20% of the nation's electric power is supplied by nuclear plants for which operation, maintenance and refueling depend on a steady supply of nuclear engineers. The Naval Reactor laboratories (Bettis and KAPL laboratories) and DOE National Laboratories also depend on the graduates from nuclear engineering programs for their future. Furthermore, we note that the influence of the U.S. in the world nuclear markets has declined substantially over the last decade, with other nations now supplying a significant fraction of the nuclear products and services used in the U.S. A case in point is that for the last several years the U.S. has had no domestic source of the important Molybdenum/Tc-99 radioisotopes shipped weekly to 4000 hospitals in the nation for medical and diagnostic uses. As the DOE moves forward to add such capability in the U.S., it should be recognized that to avoid significant further erosion of our domestic capability, and of our export capability, the educational base needs to be strengthened. It is worthy of note that the nuclear electric utilities have recognized the real needs of the industry with their matching grant initiative.

Nuclear engineering education requires the use of expensive equipment, and in addition must compete for faculty and staff with national laboratories and industries that seek experts in these fields. The federal government has long recognized the need for federal support of engineering education, since advances in science and technology lead to substantial gains in productivity and international competitiveness, and federal funding is a critical component in this arena. Such support is primarily provided by the NSF for most technical disciplines. An exception has been nuclear engineering, which has always been handled by the DOE and its predecessor agencies. As emphasized in two reports [1,2] of the National Academy of Sciences (NAS), this federal support is necessary if this nation is to maintain nuclear energy as a viable source of electricity in the next century. The academic programs which provide the human resource base for nuclear power technology have a critical need for such support in order to attract the best graduate students and faculty to work in this field.

NEED TO MAINTAIN THE NUCLEAR POWER OPTION

We are vitally concerned about the future of this nation, and of the world, without nuclear-generated electricity. On a per atom basis, nuclear energy represents a 20,000,000 fold gain compared to fossil fuel combustion, and a similar million-fold drop in the weight and volume of waste products compared to fossil energy. To not develop nuclear power to its fullest economical and commercial extent is to deny civilization a long-term energy source with significant environmental benefits related to improved air quality and reduced releases of global warming gases. An NAS report [3] contains several recommendations which address the need to maintain the nuclear option as a substitute for fossil fuels to mitigate greenhouse warming. The research and educational programs that we are recommending are consistent with these recommendations, which, it should be emphasized, come from a panel of environmental experts with no ties to nuclear power.

Loss of academic departments in NE/RST will mean a loss of the supply of nuclear engineers to *safely* operate and maintain our nation's nuclear power plants which supply over 20% of the total electrical power production in this country. These 110 nuclear plants are scheduled to operate for some 10-20 more years, and the safety concerns of operating these plants without the availability of qualified technical support will become a critical issue. Further, when the plants reach the end of their useful life and must be decommissioned, the nation will be faced with replacing an unprecedented amount of lost power generation over a very short time period. If nuclear energy is to remain an option for replacement power, then the technological know-how needs to be preserved. It is expected that the world's electricity demand will triple in the next 50 years. To not develop nuclear power to its fullest economical and technological extent is to deny civilization a long-term energy source with significant environmental benefits related to improved air quality and reduced releases of global warming gases

If these educational programs are not maintained, many of our brightest students in science and engineering will be deterred from entering this field, since there will be no financial support or interesting research projects in this field to work on. Absence of funding for this program will further exacerbate a manpower shortage for the nuclear industry that is projected for this decade and well into the next century. [1] Nuclear engineering is at the core of a 300,000 person industry that is rapidly aging. For instance, the Institute of Nuclear Power Operations has predicted that in the next ten years, 30% of the current professionals in the field of nuclear power will be retiring. When and if this country decides that additional nuclear power is needed, there will no longer be the expertise or technology to provide it, except by foreign corporations, which stand to benefit substantially as the U.S. abandons its once-leading role in nuclear reactor technology. [4] The irony here is that U.S. light water technology, licensed to foreign countries, may be successfully marketed by these very countries as our nation abdicates its leadership role in developing and utilizing nuclear energy. Indeed, we may become purchasers of our own improved technology (once again!).

The ability of the U.S. to maintain credibility in an expanding nuclear world is another major issue. The inspection of foreign reactors to ensure compliance with International Atomic Energy Agency (IAEA) guidelines and treaty agreements depends on having a staff of individuals trained in the nuclear sciences. The alarming plans for the buildup of nuclear power in southeast Asia and the Middle East would undoubtedly be conducted more safely with the involvement of U.S. know-how, which is not possible without a strong academic infrastructure in NE/RST.

CURRENT STATUS OF JOB OPENINGS

The 35 nuclear engineering departments or programs in our universities and colleges have an enrollment of approximately 2200 students, 1200 of whom are graduate students pursuing Masters or Ph.D. degrees. Of those accepting employment positions in nuclear engineering, about half of these were in the commercial nuclear power industry, and about half with the federal nuclear research and development establishment, primarily at the national laboratories. Of the latter, it appears that the majority involved environmental restoration activities. The health and medical physics areas have been a very rapidly growing employment field over the last decade, and continued growth is expected.

SUMMARY AND CONCLUSIONS

Nuclear engineering represents a broad and diverse field, encompassing both education and research in a number of critical fields for this nation. It is important for the technological progress of our nation and for the safety of nuclear applications that the nuclear engineering discipline be maintained and adequately supported.

We recommend the continuation of the DOE program with reprogramming of $5,000,000 to reinstate the nuclear engineering education research program in the Office of Nuclear Energy, Science and Technology budget. This program is critical to preserving nuclear power as a viable alternative source of electricity in the next century, as noted by several NAS reports.

We also support the Office of Nuclear Energy, Science and Technology as the proper office to which this program should continue to be assigned.

We thank the committee for the opportunity to present this testimony.

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March 6, 1996

The Honorable John T. Myers, Chairman
Appropriations Subcommittee on Energy
and Water Development
2362 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Chairman:

A COOPERATIVE INITIATVE UNDER THE UMBRELLA OF THE DOE/USDA MEMORANDUM OF UNDERSTANDING

We appreciate this opportunity to present testimony to the House Appropriations Subcommittee on Energy and Water Development.

On November 2, 1995, the Secretaries of the U.S. Department of Energy (DOE) and the U.S. Department of Agriculture (USDA) signed a Memorandum of Understanding for Cooperation and Coordination in Technology Research, Development, Transfer, Utilization and Commercialization Both agencies "*see significant growth opportunities for the U.S. economy and the food and agricultural sector, in particular, from such new cooperation.*" Each agency agrees to assist the other "*in the development of cooperative technology research, development, transfer, utilization and commercialization projects by providing pertinent available information about candidate facilities and other potential sites and support approved joint efforts at such sites by providing services, facilities, utilities and other supporting resources.*"

In building local, regional, and national information systems for agricultural production systems, NCRI project sites and USDA recognize that high-precision, broad-spectrum, remote sensing information is needed in order to access resource conditions and crop production. USDA also needs to refine regional crop models for all crops for assessment of crop growth and remote sensing. DOE has developed the rule-based decision protocols needed by farmers wishing to optimize technologies through precision farming. DOE wants to understand hierarchical, spatial, GIS-based systems as applied to the environment and agriculture. University-based analysts and USDA know that biological agents are transported at high elevations during growing seasons and can initiate plant diseases. NEXRAD radar contains data associated with these biological agents. DOE has the capacity to analyze this radar imagery needed in correlating NEXRAD signals with biological events.

NCRI seeks endorsement of the subcommittee in its appropriations process. In particular, NCRI anticipates a cooperative agreement with agencies of DOE under the umbrella of the DOE/USDA agreement.

BACKGROUND

The National Center for Resource Innovations is in its seventh as a private, non-profit organization, established through bi-partisan congressional support in an appropriation to the U.S. Department of Agriculture in 1990. This was a far-sighted initiative to meet a great need: that of supporting primarily rural, but also urban decision makers with modern Geographic

Information Systems and related technologies in order to support sustainable communities -- an idea that has fairly "exploded" in the last year as information systems technologies have developed sufficiently to bring every willing American into the "High Tech" world of tomorrow.

The House and Senate conferees provided $500,000 in 1990 to USDA's Cooperative State Research Service for the establishment of regional centers for the Chesapeake Bay region co-located with the corporate offices in Rosslyn, Virginia; the South Georgia Regional Development Center in Valdosta, GA; and the University of Arkansas in Fayetteville, AR. Over the next five years and with additional funding, regional centers were added at the University of North Dakota at Grand Forks, ND, the Central Washington University at Ellensburg, WA, and the University of Wisconsin-Madison. In FY '96, the future seventh site was designated at the New Mexico Engineering Research Institute at the University of New Mexico-Albuquerque.

NCRI is a cooperative, coordinated network with its agenda coordinated through its corporate offices here in Rosslyn, VA. NCRI operates primarily at the nexus of government where field level information systems have been developed, and academic centers where GIS technology and educational techniques are often developed. NCRI's program bridges the widening gap under a mandated reorganization of government. The advantage of a consortium of regional centers is that each site has unique expertise and shares specialized technical support among sites, thereby strengthening the project as a whole through shared resources and experience needed to build complex and comprehensive information systems. Site-to-site technology transfer and networking builds NCRI's overall capabilities, aids in problem solving, facilitates consistency and avoids duplication.

In the next five years, we will move from the age of GIS as a technology needing development to building the needed information systems for decision making itself. Each site in the NCRI consortium brings its own unique knowledge and expertise making the whole more the just the sum of its seven parts.

NCRI SITE EXPERTISE AND ACCOMPLISHMENTS

NCRI Chesapeake, Inc. (NCRI-CB) The Chesapeake project, covering all or parts of six states (42 million acres), is a unique cooperative effort between NCRI-Chesapeake, federal and state agencies, universities and others, to meet the objectives of the Chesapeake Bay Restoration Act of 1993. NCRI-Chesapeake is building an hierarchical - national, regional, sub-regional and local decision support system to address agricultural activities within ecosystem environments. In cooperation with the Harvard Lab for Computer Graphics and Spatial Analysis, NCRI-CB pioneered the use of the USDA's National Resource Inventory (NRI) in a GIS framework for agro-ecosystem modeling.

Having focused in early years on a national analytical framework that identified priority watersheds in the U.S. using agro-environmental indices, NCRI-Chesapeake is now building a multi-layer, comprehensive, consistent and coordinated GIS-based capability for resource managers to target technology, funds, personnel and programs upon identified areas of the Chesapeake watershed. Regions where there is a potential for pesticides to leach below the root zone, and areas where excess nitrogen from fertilizer and nitrogen from livestock waste have been identified. We have ranked the 56 subwatersheds in the region according to environmental indices. Environmentally sensitive resources such as wetlands and water bodies that can be directly and indirectly affected by farm chemicals, highly erodible croplands and erosion have been identified and highly permeable potential recharge areas have been found and characterized.

Currently, additions to the system include integrating nitrogen production from septic fields as part of an overall nutrient budget for the region and integrating social and economic characteristics of human populations in the ecosystem in order to better market conservation services by NRCS/USDA to technology consumers. This pilot project in Pennsylvania is to be extended to the entire Chesapeake and then to the nation, as appropriate.

But this is only part of the picture. NCRI-Chesapeake and NCRI-North Central have decided to work together with cooperators at Oregon State University and Michigan State University to exchange expertise on ecosystems, including biological and physical resources and high level weather information for each cooperator's respective region.

National Center for Resource Innovations
3/6/96

University of Arkansas-Fayetteville (NCRI-SW) NCRI-SW has been based at the University of Arkansas at Fayetteville since its inception in May of 1990. Through university support and hardware and software grants, the program has a fully-equipped research, training, and outreach facility capable of demonstrating a wide range of software for geographic information systems, remote sensing, spatial statistics, and database management. In the fall of 1994, expansion of the Center's facilities was completed to include five state-of-the-art teaching and research laboratories, ten offices, and a library/reading room. A variety of advanced computer equipment now facilitates the center's teaching, outreach, and cooperative project capabilities. This equipment includes over 50 high-performance workstations, two multi-processor servers on a fiber-optic network, a full complement of peripherals, software from many different vendors, and a variety of other up-to-date software and equipment. The Center was awarded the title of Center for Excellence by both Intergraph Corporation of Huntsville, Alabama, and Trimble Navigation, Ltd. of Sunnyvale, California.

NCRI-SW continues to focus on technology transfer through training, the development of statewide GIS databases, and representative projects demonstrating the cost/benefits and efficiency of GIS technology. The NCRI-SW mission has provided an opportunity for cooperation and communication among a multitude of community administration agencies. Great care is taken to assure that projects are chosen, through consultation with the appropriate state and local officials, that will serve the greatest number of rural constituents. During 1994, NCRI-SW participated in numerous projects that have directly benefited state, county, and rural citizens, such as the Catalog of Arkansas Digital Spatial Data, the Rural Infrastructure Mapping Project, the High Accuracy Reference Network Project, the Four County Solid Waste Management Mapping Project, and the Washington County Tax Assessor's Office GIS Project, Rural America 2000 facility which provides no cost access to state-of-the-art GIS equipment to rural governments which are evaluating the adoption of GIS technologies.

In 1996, approximately 130 individuals will attend professional short-courses at NCRI-SW. Classes included were *Introduction to GRASS, Advanced GRASS, Fundamentals of GPS, Advanced GPS, and GIS in Soil Science*. These classes were taught in our facilities here on campus and at on-site locations. Students came from diverse backgrounds such as: Cherokee Nation, Arkansas Air Guard, NWA Community College, Benton County 911, Oklahoma Biological Survey, Arkansas Historic Preservation Program, Washington County, Sabine River Authority, NRCS, Corps of Engineers. The number of professional short courses offered will increase from 14 courses offered in 1995 to a total of 20 in 1996.

South Georgia Regional Development Center (NCRI-SE) NCRI-SE's program in Georgia is an integral component of the South Georgia Regional Development Center - a regional agency that supports local governments across ten counties. NCRI's primary objective is to encourage the use of geographic information for ecologically responsible decision making in this primarily rural region. "Real world" presentations by NCRI-SE using actual local geographic data has proven to be an effective method of demonstrating the value of GIS. This coupled with the experience gained by NCRI-SE personnel from implementing GIS for local governments, has proven invaluable to government managers in the south east region. NCRI-SE also provides direct technical and "hands on" advice and training for any regional entities working in the GIS realm.

One of the most successful programs at NCRI-SE is the Global Positioning System (GPS) program that was established in cooperation with the National Geodetic Survey/NOAA. This program provides data from its GPS Base Station to state, federal, and local agencies within a 300 mile radius. The GPS units themselves have increased the ability of local governments to collect data and make maps at a much lower cost than was previously possible.

NCRI-SE developed a working model for GIS technology transfer. The city involved in this pilot project had the task of managing the growth of utilities and services while meeting federal and state environmental regulations. NCRI-SE assisted in the development of a user-friendly GIS. By incorporating existing maps and using GPS to collect select geographic features and attributes, the city saved money in the creation of the GIS while the GIS itself saves money by better management of infrastructure. This pilot is a template for low budget GIS solutions in local government.

University of North Dakota-Grand Forks (NCRI-NC) The NCRI-North Central site is leading a national effort in developing a National Agricultural Weather Information System. This prototype system is directed towards enhancing the use of precision agriculture through a more effective use of weather information. In parallel to the weather information system is the need to incorporate traditional GIS technology on the farm-field level.

Currently, NCRI-NC is concentrating on promoting and developing GIS applications at the local and state levels. Current projects include research and development of remotely sensed satellite data to produce products for the agricultural community. Those products are to be made accessible to the general farming community via modem technological means; development of the importation and overlay of UND Doppler radar for Grand Forks County and the surrounding areas; development of the ND volunteer precipitation data base for analysis with land use/land cover for moisture availability and moisture needs assessment; and providing GIS technology assistance to eastern North Dakota and northwestern Minnesota for severe weather tracking and assessment.

NCRI-NC presently participates with North Dakota Governor's Task Force on Geographical Information System Technology Transfer which is attempting to expand the use of GIS across the state. Joint activities have also been developed with the UND Regional Weather Information Center and the USDA Natural Resources Conservation Service (NRCS) to foster improved use of resources in preparing digital soil surveys.

Central Washington University (NCRI-NW) NCRI-NW continues to concentrate on the local and regional resource issues of the Yakima valley and eastern Washington. These issues include irrigation of agricultural lands, county planning needs, Native American interests, and the management of inter-mixed public and private lands. NCRI-NW works in close cooperation with the faculty and staff of Central Washington University as well as the GIS Lab. Work continues with the Kittitas Reclamation District (KRD) on irrigation related issues. Digital orthophotography has been used in the study of unauthorized use of KRD water. The next phase of this project is to integrate the results of this study into KRD's GIS.

NCRI-NW is working with the Kittitas County Public Works to develop a recreation map of Kittitas County. This has long been a goal of the county, but they have not had the resources to pursue it. With NCRI-NW's assistance and expertise this project is underway. The project will include not only the finished map, but also numerous new GIS data layers for the county's GIS.

Under a cooperative agreement with the USDA/Natural Resources Conservation Service (NRCS), NCRI-NW continues to digitize Washington State soil survey maps. NCRI-NW has been asked to become the distributor of NRCS digital soil survey data.

NCRI-NW continues work with the Yakima Resource Management Cooperative (YRMC) on GIS related projects. Current projects include a complete road map of the YRMC area and revision of the Cultural Resources Task Group's predictive model for pre-historic Native American cultural sites. This model was originally developed in 1994. The Task Group has requested a number of revisions be made to the model. Testing and revision of the model will continue through 1996. The Yakama Indian Nation is interested in expanding the model to include Yakima and Klickitat counties.

University of Wisconsin-Madison (NCRI-GL) The NCRI-Great Lakes project site is located at the Land Information and Computer Graphics Facility (LICGF) at the University of Wisconsin-Madison in the College of Agricultural and Life Sciences. The Facility was instituted in 1983 to function as a research, teaching, and outreach resource in land and geographic information systems (LIS/GIS). Researchers at LICGF explore uses of LIS/GIS for local and regional land and resource planning to support social, economic, and environmental decision-making processes.

Most land records are created, managed, and used at the local level. Information generated from automated land records provides the essential elements of nation-wide spatial database on natural resources. Establishment of uniform specifications and standards for spatial data development in local governments is the basis for a consistent information system development. A major focus of NCRI-Great Lakes is developing a National Spatial Data Infrastructure model for local governments. LICGF's successes in institutionalizing procedures for automating and managing land records led to passage of Wisconsin law implementing a standard across the nation as states struggle to integrate the shared data demands between municipalities, counties, and state activities.

Current research is focused on determining factors that hinder or encourage the implementation of automated LIS/GIS; a survey is conducted annually to monitor adoption and diffusion of LIS/GIS at the county level. This will also be applied at other NCRI sites. A forest resource management system has been developed for a local citizen advisory committee in the Kickapoo River Watershed. Conservation and protection of a Nature Conservancy "Last Great Place" -- the Baraboo Hills -- has been facilitated through cooperation with several partners. A GIS-based "stormwater utility" has been constructed for Marquette, Michigan, to more effectively control the quantity and quality of urban runoff to Lake Superior.

NMERI-University of New Mexic.o The University of New Mexico (UNM), represented by the New Mexico Engineering Research Institute (NMERI), is the most recent addition to the NCRI consortium. NMERI personnel have been active in the development of New Mexico's state Geographic Information Systems (GIS) standards and the founding of the state's GIS Data Clearinghouse. NMERI has participated in various related committees, task forces, and programs aimed at bringing GIS and related technologies into wider use to solve real world problems. Notable among these are the Governor's Task Force on Water Issues, the New Mexico Information Infrastructure Task Force, and the Animal and Plant Health Inspection Service's (APHIS) National Grasshopper GIS Focus Group. NMERI has and continues to provide public service outreach and technology transfer in the education of GIS and related technologies, applied GIS research, decision support assistance requiring technology integration, and information dissemination technologies to broad audiences . Outreach activities have included. On-site and off-site demonstrations of GIS applications to local government officials, presentations on the use of World Wide Web resources for Rural user needs, Workshops on building GIS based Land Information Systems at the local level, and most recently the statewide coordination for local government participation in a nationally televised conference on Land Information Systems for Local Government: Issues and Interfaces.

Over the last four years NMERI has provided assistance to USDA's Plant Protection and Quarantine personnel in the automation of field survey data collection and near-real time reporting techniques for insect pest management. The methodology developed by NMERI for New Mexico was subsequently replicated for both North and South Dakota. NMERI participation in water resource planning and management issues has involved the development of GIS based applications for rapid retrieval of bibliographic holdings of multiple agencies by geographic units, e.g., communities, counties, and river basins. NMERI's areas of interest for 1996 includes watershed management interests along the US/Mexican Border and continued development of the New Mexico Environment Department's Drinking Water Sampling and Monitoring Information System.

COOPERATIVE INITIATIVES

NCRI is immensely proud of its unique and effective national program that is producing better resource information systems in collaborative and cooperative efforts. We have accomplished much in our short lifetime and look forward to continuing work for increasingly better public policy and decision making leading to sustainable communities and resources.

NCRI seeks endorsement of the subcommittee in its appropriations process. In particular, NCRI anticipates a cooperative agreement with agencies of DOE under the umbrella of the DOE/USDA agreement.

Sincerely,

Margaret S. Maizel
Executive Director
NCRI Chesapeake, Inc.

ABB

March 5, 1996

The Honorable John T. Myers, Chairman
Energy and Water Development Subcommittee
of the House Appropriations Committee
2362 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Myers:

Enclosed are five (5) copies of ABB Combustion Engineering's written statement, which we request be considered as part of the Committee's review of the Department of Energy's FY-97 budget request. Specifically, our statement covers issues related to Tritium Production and Plutonium Disposition (under DOE's Defense Programs) and Advanced Light Water Reactors (under DOE's Nuclear Energy Program).

Thank you for the opportunity to provide this input. If you have any questions, or would like further information, please feel free to contact me at (203) 285-5207.

Sincerely,

George A Davis

George A. Davis
Project Manager
System 80+ Deployment, U.S.

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Written Statement

Submitted to the

Subcommittee on Energy & Water

of the

U.S. House of Representatives

Committee on Appropriations

Concerning the Subjects of Tritium Production,
Plutonium Disposition, and Advanced Light Water Reactors

By

George A. Davis
Project Manager, System 80+ Deployment, U.S.
ABB Combustion Engineering Nuclear Systems
Windsor, Connecticut

March 5, 1996

Introduction

ABB Combustion Engineering is pleased to have this opportunity to provide a written statement to the Committee, as the Committee considers the Department of Energy's FY-97 budget request. Specifically, we would like to address two areas of DOE's budget request that relate to our interests: Tritium Production and Plutonium Disposition (under Defense Programs) and Advanced Light Water Reactors (under the Nuclear Energy Program).

Concerning the tritium production and plutonium disposition programs, ABB-CE and seven other companies submitted to DOE, in 1994, a plan for organizing a consortium that would privately finance, build, own, and operate a multipurpose reactor facility on DOE's Savannah River Site. The consortium would contract with DOE to irradiate tritium-producing targets and to dispose of excess weapons plutonium, by using it as fuel. However, the bulk of its revenues would come from electricity sales in the southeastern United States. The billions of dollars needed to engineer, license, and construct the facility could be financed by private industry; thus, avoiding the need for the federal government to budget several billions of dollars over the next decade, to cover construction of new government facilities. Once the multipurpose reactor facility begins operation (in about ten years from now), DOE would start paying a fixed annual fee for plutonium disposition and a variable annual fee for tritium production. Even though DOE's own studies show our reactor design and our proposal to be less expensive than one of the options that the Department did select (the accelerator), DOE has failed to seriously consider it. We, therefore, request that the Committee provide guidance to DOE about including our proposed multipurpose reactor concept in its program.

Concerning the ALWR program, we would like to point out that our System 80+ standard design has completed review and approval by the Nuclear Regulatory Commission and is currently finishing up the rulemaking process that will result in issuance of one of the first two Design Certifications, under the new one-step licensing process in 10CFR52. These two certifications will mark the completion of a decade-long effort by industry and DOE, in what has proven to be the centerpiece of the ALWR program. We only ask that the Committee provide adequate funding to assure that DOE can fulfill its contractual obligations for completing this extremely important effort in FY-97.

Tritium Production and Plutonium Disposition

ABB Combustion Engineering, has teamed with seven other companies and proposed a plan to the Department of Energy for the deployment of a privatized multipurpose reactor facility on DOE's Savannah River Site. Our team includes several other large engineering companies -- in particular, Stone & Webster Engineering Corporation, Duke Engineering & Services, Raytheon Engineers & Constructors, and BNFL, Inc. We originally developed an interest in this concept in late 1992, when Congress requested that DOE consider the possibility of a multipurpose reactor that could (1) produce tritium, (2) consume excess weapons plutonium as fuel, and (3) generate electricity, as a way to offset the government's costs. We felt that our System 80+ ALWR design (the same one that has been undergoing NRC review for the past decade, as part of DOE's ALWR program) was ideally suited for such a mission -- especially since our design already included features needed for consumption of plutonium fuel. Since we were nearing the end of the review process at the NRC and were about to begin bidding the design as a fixed price turnkey offer overseas, we felt that we would be in a unique position to allow the project to proceed quickly and, very importantly, to be privatized. Not surprisingly, the National Academy of Sciences' reports on plutonium disposition identify our System 80+ design as the most efficient and least-cost reactor model available for disposition of excess weapons plutonium, if a new reactor were to be used.

In March 1994 we submitted to DOE a Program Plan for organizing a consortium that would privately finance, build, own, and operate the multipurpose reactor facility on DOE's Savannah River Site. The facility would consist of two System 80+ standardized units, along with a fuel manufacturing building. The consortium would be formed as an Independent Power Producer that would contract to sell electricity to utilities throughout the Southeastern U.S. and contract with DOE to provide two services: irradiation of tritium-producing targets and disposition of excess weapons plutonium, by consuming it as fuel. Thus, DOE would only have to purchase the services that it needs, rather than purchase and operate the entire facility. Besides minimizing the government's costs, this has the distinct advantage that it allows the government to avoid billions of dollars in outlays to build new facilities for production of tritium and disposition of plutonium over the next ten years. Instead, the engineering, licensing, and construction would be done with private financing. DOE would then begin paying fees for services rendered, after the facility goes operational.

Based on our initial cost estimates to build and operate the multipurpose reactor facility and our market analysis of future electricity prices in the southeastern U.S., we estimate that the electricity sales would cover about 90% of the costs. The remainder would be charged to DOE for the services that it receives. Since the plutonium disposition mission can be well defined up-front, before DOE has to make contractual commitments, we proposed that DOE pay a fixed annual fee for disposition of excess weapons plutonium -- currently estimated at $78 million per year in constant 1995 dollars.

Since the long term needs for tritium production are not as easily defined, and may be subject to change, we proposed that DOE pay a variable annual fee for irradiating targets. The fee would cover lost electricity sales, if any, when tritium is being produced. To produce tritium at the rate of 3/8 of the 1988 goal (DOE's current upper limit estimate), we estimate the variable fee could be as high as $53 million per year. However, if no tritium were being produced, then no fee would be have to be paid. This gives DOE the maximum flexibility in contracting for the service. Compared to the alternative of DOE building a new dedicated facility for tritium (e.g., the accelerator), our approach avoids the risk that billions of dollars might be spent to build a facility and then later find that it is no longer needed, or is incorrectly sized.

Our Plan proposes that the initial effort to organize the project and establish power sales agreements be paid by DOE. At the end of that period, there would be a financial closing and the privatized project would then proceed, without the need for DOE funding until the facility goes operational and services are being provided. We would pay back the initial DOE funding, if DOE agrees to go forward with implementation of the project. The requirement that DOE pay the initial funding before the project goes forward recognizes the reality that many major DOE initiatives are subject to changing political and world events, which are outside the control of the our team.

In September 1995, we submitted an Alternate Plan to DOE -- to address the Department's concerns about the difficulty in establishing long term power sales agreements with utilities. The Alternate Plan focuses upon the use of a single System 80+ reactor, which dramatically reduces the amount of private capital that must be raised and the amount of electricity that must be sold. The Alternate Plan also uses a greatly simplified method of selling electricity from the plant, by using a power marketer and selling at the market prices for electricity, when it is generated. This will increase uncertainty in electricity revenues, which would then have to be borne by the consortium and the federal government; however, it will assure that the effort to launch the private venture will succeed. Although we still believe that our original March 1994 Program Plan is achievable and in the government's best interest, we feel that the Alternate Plan represents a fall-back scenario that assures a successful outcome.

In its Record of Decision on Tritium Production in December 1995, DOE announced that it would pursue a parallel track for the next three years to (1) continue research & development of an accelerator, and (2) evaluate the use of one or more of the existing 110 commercial nuclear plants that are currently operating in the United States. DOE's decision acknowledged that the existing reactor option would have the least cost, least risk, shortest schedule, and minimum environmental impact. However, because of concerns about adopting a policy that allows production of nuclear weapons material in commercial nuclear plants that were originally constructed for purely peaceful purposes, DOE felt justified in pursuing the accelerator research, in parallel. Press reports and internal DOE documents indicate that DOE plans to devote 85 to 90% of its tritium budget, over the next several years, for the accelerator research.

In its decision, DOE dropped any further consideration of a new ALWR for this mission, even though its own consultant's estimate shows that a new large ALWR (using our System 80+ design as a reference) would likely cost the federal government about $12 billion less to build and operate than the accelerator, in undiscounted 1995 dollars. For reference, the consultant estimated that the accelerator will cost between $12 billion and $27 billion to design, construct, and operate (also in undiscounted 1995 dollars) -- at the 3/8 goal tritium production rate.

On top of this, we have notified DOE that we believe that there are a number of errors in the consultant's analyses and that the cost difference between the ALWR and the accelerator is even greater than the consultant calculated. Although DOE has provided responses, they have not adequately addressed our concerns and we believe that our original comments remain valid.

DOE also dropped any consideration of our proposed new privatized multipurpose reactor, even though its Record of Decision noted that one of its own laboratories, Oak Ridge, had provided a cost estimate which showed that our concept would cost the federal government billions of dollars less than DOE's estimate for the accelerator, while also fulfilling another DOE need -- the disposition of excess weapons plutonium. (As a side note, the Oak Ridge analysis was performed in response to a request from the Energy & Water Appropriations Conference Committee -- which had asked DOE to evaluate the feasibility of a multipurpose ALWR, during the FY-95 budget process. The report was due to the Committee a year ago this month. Although the draft report was completed on schedule, DOE has still not released it to Congress.)

In spite of the dramatically higher cost for the accelerator, DOE justified the accelerator's selection over a new ALWR on the basis that the accelerator has less environmental impact and less licensing risk. However, both of these arguments are fallacious. DOE's assertion that the accelerator has less environmental impact than a new ALWR is fatally flawed because DOE failed to include the environmental impact of generating the 300 to 600 Megawatts of electricity that the accelerator will require during operation. Its inclusion would show that the new ALWR has less environmental impact than the accelerator -- especially when it is also acknowledged that the new

ALWR will avoid the need for an equivalent amount of fossil fueled electric generating capacity in the region, thus, creating an environmental benefit. We strongly suspect that DOE's segmentation of the accelerator's environmental impact is not consistent with the National Environmental Policy Act and could make the accelerator vulnerable to court challenge, at some time in the future, by those who do not want tritium production to be restarted.

On the subject of licensing risks, it appears that DOE has not given due credit to the "one step licensing" provisions provided in the 1992 Energy Policy Act. It is now possible to obtain the permits to both build and operate a new ALWR nuclear plant before construction is even started. Furthermore, we are talking about using a standardized ALWR plant design that has already been reviewed and certified by the NRC. DOE has invested about half a billion dollars in the ALWR program during the last decade, in cost-share with the nuclear industry, with the primary goal to receive NRC Certification of these safer, new reactor designs. In an ironic and bizarre twist of fate, DOE is now saying that these designs are not acceptable for use by DOE -- even though their own cost analyses show the ALWR to be less expensive than the accelerator that they selected. Concerning licensing of the accelerator, it should be noted that DOE recently announced plans for seeking outside regulation of all its facilities. There are no current licensing guidelines or processes for licensing an accelerator like the one proposed for tritium production. This is true licensing uncertainty. In the end, DOE will run the same risks of intervenor challenges, during licensing of a new tritium production facility, from those groups opposed to resumption of tritium production -- no matter which technology is used.

To summarize this issue, we believe that DOE's decision to drop the large ALWRs from further consideration for tritium production is not supported by the facts. DOE now proposes to commit over 85% of its tritium budget to research on an unproven accelerator design that, by estimates from DOE's own consultant, will likely cost the federal government on the order of $12 billion more than the large ALWR (we think that the cost gap is even larger). Furthermore, if DOE would include our proposed concept for a new privatized multipurpose reactor, DOE would then have a more cost-effective, reliable alternative to the existing reactor option. DOE would still have the flexibility of purchasing irradiation services -- be it from an existing reactor or a new one, on a government site.

We strongly encourage the Committee to provide guidance to DOE to reconsider its decision, so as to include a lower cost option for a new facility: a large ALWR, especially a privatized multipurpose reactor, on a government site.

Advanced Light Water Reactor Program

For the last decade, DOE and the nuclear industry have cost shared in the development and licensing of the ALWR designs. The first major projects to be completed under this program will be the NRC Design Certification of the large, evolutionary designs: ABB Combustion Engineering's System 80+ standard design and General Electric's ABWR design. The Design Certifications, to be issued via rulemakings later in calendar year 1996, will mark a major milestone in maintaining the viability of the U.S. nuclear energy option. Since the designs are already being actively marketed in Asia, the federal government may soon share in the benefits of creating high technology export products -- products that will add thousands of highly skilled jobs to the U.S. economy, as well as improvement to the balance of trade picture.

ABB-CE and GE have contributed more than $100 million of cost-share to the certification of these designs. To support the NRC review, we have often risked our own funds to fulfill commitments to NRC -- even though DOE did not have adequate funding to support its cost share commitments at the time. We took such initiatives in good faith -- because we recognized that maintaining the NRC's review on schedule would minimize the program's costs and we knew that DOE would try to be fair with us in future budget allocations. As we approach the completion of this program, it is essential that the Committee provide DOE with sufficient funds to fulfill its final obligations to our project. We estimate that the FY-97 funding needed to complete System 80+ Design Certification will be $3 million. We understand that DOE agrees with this figure.

Completion of our Design Certification program in early FY-97 will mark a major success for DOE's ALWR program. It will also mark the end of DOE funding for our System 80+ certification effort. DOE can then focus its ALWR program entirely upon completing Certification of the small, passive pressurized water reactor design. Thus, everyone will benefit by assuring that the large, evolutionary ALWR Design Certifications are completed on schedule.

TESTIMONY OF PROFESSOR WILLIAM E. DRUMMOND

BEFORE THE SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT OF THE HOUSE APPROPRIATIONS COMMITTEE

FY 96 has been a difficult year for the fusion program. The program has been faced with major budget cuts and a call for a reevaluation of both its domestic and international programs. In an effort to resolve these matters, the Fusion Energy Advisory Committee (FEAC) has issued a report which develops the outline of a clear public policy which, if properly implemented, could provide the direction the fusion program needs.

The FEAC report proposes a major restructuring of the fusion program which is directly responsive to the congressional mandate on program direction as well as congressional guidance with respect to future funding. The excepts below give the thrust of this proposal.

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"The underlying theme of the restructuring is to redirect the program away from the expensive development path to a fusion power plant (and) to focus on the less costly critical basic science and technology foundations."

> **"MISSION: Advance plasma science, fusion science, and fusion technology - the knowledge base needed for the economically and environmentally attractive fusion energy source.**

This mission and intent can best be met with the following set of policy goals:

- **Advance plasma science in pursuit of national science and technology goals;**
- **Develop fusion science, technology, and plasma confinement innovations as the central theme of the domestic program;**
- **Pursue fusion energy science and technology as a partner in the international effort.**

These goals have the same major elements as the PCAST key priorities, but emphasize more the science foundation of the program."

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The difference between a science program which has a research perspective and a development program has enormous implications for the management of the fusion program.

A RESEARCH PERSPECTIVE

For the last twenty-five years, the government's fusion program has been a traditional industrial development program with the objective of producing a commercial fusion-powered electric power station by some specified date. The objective was fixed -- only the date changed. The path to that objective was assumed to be known, and the program had only to complete certain specified assignments to reach the objective. The essential physics was taken to be known, and the uncertain physics was deemed to be unnecessary. Experimental facilities were built only to resolve specific development issues; they had no general research role.

The development approach has served the program poorly. Fusion, like the war on cancer, is a broad, long-term proposition for which the scientific base is far from complete. In such circumstances, there is no historical basis for predicting developments even a few years in advance. We have never been able to foretell science. It is fantasy to make predictions for a decade and beyond and unjustifiably pretentious to organize a program on the basis of such predictions. The narrow developmental approach is proving a poor programmatic guide and has led to unrealistic expectations of the program, fusion's great albatross.

The fusion program has made tremendous advances in both knowledge and performance over the last twenty-five years. Despite the progress, we are not yet ready for industrial development of a commercial product. Considerable further advancement will be required before practical applications will be feasible. The program should therefore be organized like other science programs supported for their ultimate practical application. The most familiar examples come from the National Institutes of Health. Everyone recognizes the breadth of biological understanding necessary to cure diseases and the impossibility of predicting precisely which path to a cure will prove most effective.

The best way of encouraging scientific advances is to have good physicists perform good experiments. This is the proven path to scientific progress.

The difference between science and development has immense implications for the fusion program, both philosophical and practical.

Philosophically, we should concentrate our effort on the most problematic, least understood aspects of fusion physics, for example transport. We should emphasize basic understanding and not judge matters solely by the criterion of perceived reactor relevance. Furthermore, we should examine the role of our experimental facilities from a different view. The development program built devices for specific, narrow purposes; having served their purpose, the devices may be closed. On the other hand, a research program builds facilities as the basic resources for experimental investigations. Devices are maintained as long as they are capable of competitive research.

For a long-term, "big-science" area like high energy physics or fusion, the management priorities must be 1) scientific staff, 2) major facilities, 3) specific projects and experiments. All are important, but the ranking is determined by the creation/regeneration time of the resource. (These have not been the priorities of the present fusion program. The first two have been largely ignored and prioritization begun with ranking of specific projects.)

In practice, a research program would be greatly different from a developmental program. For brevity, consider only the two major devices, TFTR and DIII-D, and the smaller, but substantial Alcator C-Mod. These are not only large devices; these institutions are the major reservoirs of experimental expertise. The three devices complement each other in many important aspects. They operate in very different plasma regimes and this diversity of devices is essential to progress, as is the competition between experimental groups and interpretations. For example, although TFTR's contribution to direct reactor development is limited to its unique D-T capability (alpha physics, etc.) -- its research capability is far broader and is absolutely vital if we are to seriously address the fundamentals of fusion science. Its high power, excellent diagnostic set, and comparatively simple magnetic geometry provide an important reference point and experimental capability. As we plan for the future, we must maintain the capacity of all of these groups to contribute to fusion science.

Finally, the management required of the Office of Fusion Energy would be greatly reduced -- to the same level as that of other physics research programs in DoE. The management of a scientific program requires very different talents and experience than that of a development program. The head of this program should be a distinguished scientist who has been active in the field, shares the research perspective discussed above, and could insure the scientific integrity and scientific quality of the program. The NIH is a fine example.

THE DOMESTIC SCIENCE PROGRAM

For the past forty years, the principal focus of the fusion research program has been on the physics of fusion plasmas. The goal has been to heat and confine a fusion plasma for a period of time which is long enough for a self-sustained energy producing fusion reaction to occur. By any measure, the results of this research program have been extraordinary. The principal measure of progress, the confinement time, has been improved by more than a factor of a million. To reach the goal of practical fusion power, we need only improve this by an additional factor of five. To take this final step, requires an intense scientific research program sustained for a period of a decade or more. **This is the overriding mandate of the fusion science program.**

In taking this final step, the shift to a scientific perspective is particularly timely. Over the past two years, new computational techniques, based on first principle physics, have been developed which successfully explain much of the energy confinement data in large tokamaks. These calculations accurately predict the energy confinement in the core of TFTR and JET under many conditions and provide a new scientific understanding which unifies many seemingly disparate experimental phenomena.

In the same time frame, new experimental results on TFTR and DIIID have shown that under some conditions the anomalous energy losses which have plagued fusion experiments can be markedly decreased and this appears to be in agreement with the new computational results.

The fusion program thus appears to be on the verge of a period of extraordinary scientific productivity. If we proceed with a scientific perspective, we will be able to carry out a broad interactive program using our existing experimental facilities and our rapidly expanding computational capability to, within a few years, greatly expand our understanding of fusion plasmas and hopefully to develop an understanding of how we should proceed towards the ultimate goal.

To attack this experimentally, we have four major assets: TFTR, DIIID, Alcator C-Mod, and the university programs. TFTR, DIIID and C-Mod are three very different experimental facilities, which are among the best in the world -- all well suited for this research, and all with strong research teams. Due to budget cuts, these are operating at a very low level in FY 96. In addition, there are smaller but equally talented experimental teams in the universities which have had their research facilities abruptly shut down by the DoE in FY 96. Restoring all of these programs to full productivity not only addresses the central problem of fusion science, but is the most highly leveraged use of our limited funds in that it makes maximum use of our previous large investments in both facilities and people. This is a first **priority.**

On the theoretical side, there are outstanding fusion theory groups both in the major labs and in the universities. Together, these give the U.S. world leadership in this vital area. **This also is a first priority and must be maintained.**

Finally, as discussed in the NRC report, there is widespread concern that the support for plasma physics as a basic science has virtually disappeared. Support for plasma physics was historically provided by the DoE, but this has dried up as the DoE fusion program has focused more on development in the last few years. **Broadening the research and teaching of plasma physics within the university community is also a first priority.**

Other programs such as system studies, fusion technologies, material studies, inertial fusion, planning and projects, etc., all of which have already been supported by the DoE, are also necessary if we are to reach the goal of fusion power. However, if we are to fully fund our first priority programs, these other programs will need to be postponed for the present. **These are not first priority programs.**

The details and costs of the first priority projects are given on the following spreadsheet. The first column gives the FY 95 budget breakdown, and the second gives the same budget if TPX, ITER, ITER-related activities, and Germantown overhead costs are eliminated. This does not give a strong research program because the money is not in the right places. But a set of relatively small changes, shown in the third column, gives the strong science program shown in Column four.

The total budget for a strong domestic scientific program is $212.7 million.

Although these changes are small, they are vital. Those which require explanation are discussed on the page following the spreadsheet.

It must be understood that this is not simply an across-the-board cut of the core program. A scientifically sophisticated program management is required to develop and effect this kind of program.

PARTICIPATION IN INTERNATIONAL PROGRAMS

We are currently a partner in the ITER EDA program which is an engineering design study for a proposed very large fusion project. The PCAST report notes that "the ITER Project as currently envisioned, -- combining an ignition experiment with a burn as long as 1000 seconds -- and with a technology-testing phase intended to demonstrate most of the technological features of a reactor -- has led to a project with a price-tag that may be higher than even an international consortium may be willing to pay", and urges that the U.S. renegotiate the goals as well as the scale and timing of such an undertaking. The FEAC report notes that even if the ITER project were to be built, the U.S., with its limited fusion budget, could not be a significant participant. Nonetheless, it is pointed out that we have entered into an international agreement to participate in this design study through its completion in FY 98. The FEAC report indicates that we have, with the agreement of the other partners, reduced our contribution to this project to $55 million per year. It is argued that if we were to stop our participation in the ITER EDA that our reputation as a reliable partner would suffer. As a result, it is argued, this could bar us from future participation in other more scientifically oriented international projects which we might be able to afford and in which we might have a genuine scientific interest.

In the context of a total fusion budget of $275 million, the FEAC report recommends that we spend $55 million on ITER EDA.

DOE OVERHEAD

The staff overhead on the fusion program was $9.6 million in FY 95, but if this is now staffed as a scientific program, this should be reduced to $4.5 million or less by FY 97. Assuming an SBIR charge of $2.75 million, the total DoE overhead should be approximately $7.25 million.

A FEAC FUSION PROGRAM

FEAC indeed presents an attractive proposal which if implemented wisely will profoundly alter the fusion program for the better. The specific implementation discussed above provides for a strong fusion science program at a total cost of $275 million.

FY'97 Domestic Science Budget

	FY95	FY95 x-TPX x-ITER & ITER related	Proposed Changes	FY96 Result
Confinement				
TPX	42.00	0.00		0.00
TFTR	62.60	62.60		62.60
DIIID	51.30	51.30	6.20	57.50
Alcator	16.40	16.40		16.40
PBX-M	4.30	4.30	-4.30	0.00
NSTX	2.40	2.40	-2.40	0.00
International	7.00	7.00	-1.00	6.00
Total Confinement	**186.00**	**144.00**	**-1.50**	**142.50**
D&T		-9.30 *	-6.00 **	
ITER	70.60	0.00		
Plasma Technologies	6.70	6.70		
Fusion Technologies	3.60	3.60		
Advanced Materials	10.20	10.20		
Systems Studies	2.80	2.80		
Total D&T	**93.90**	**14.00**	**-6.00**	**8.00**
Applied Plasma Physics				
Experimental Plasma Research	24.20	24.20	12.00	36.20
Fusion Plasma Theory	17.20	17.20	8.80	26.00
MFE Computing	13.40	13.40	-13.40	0.00
Total Applied Plasma Physics	**54.80**	**54.80**	**7.40**	**62.20**
GPP/Program Direction/SBIR	**18.50**	**0.00**	**0.00**	**0.00**
Inertial Fusion	8.50	8.50	-8.50	0.00
Close Out Costs	3.00	3.00	-3.00	0.00
Grand Total	**364.70**	**224.30**	**-11.60**	**212.70**

* This amount was identified in the Science Committee markup as ITER related and how it is spread among the D&T items is unspecified.

** How this reduction is spread among the D&T items is unspecified.

Experimental Plasma Research, +$12 million: This provides $4 million for the current university programs and $8 million for new university basic research and alternate concept programs.

Fusion Plasma Theory, +$8.8 million: This provides $2.8 million for program wide theory, $2 million for new university programs, and $4 million for a major enhancement of data analysis capability for TFTR and DIIID.

Inertial Fusion, -$8.5 million: This is another case of giving 2nd priority to activities which do not directly support the core research program.

STATEMENT
ON BEHALF
OF

VENTURA COUNTY AND
VENTURA COUNTY FLOOD CONTROL DISTRICT
VENTURA, CALIFORNIA

United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable John Myers, Chairman

March 6, 1996

PROJECT:
SANTA PAULA CREEK FLOOD CONTROL PROJECT
VENTURA COUNTY, CALIFORNIA

ACTION REQUESTED:
Inclusion of $4,200,000 for Santa Paula Creek
in the Federal Budget

The Santa Paula Creek project in Ventura County is unusual in the annals of the Corps of Engineers. It was authorized by Congress in 1948 and construction of the first phase was completed in 1974. However, after bids for the second phase had been received and a contract awarded in 1974, a preliminary injunction was issued which prevented this contract from proceeding. Subsequently, construction of the project was permanently enjoined for failure to comply with the National Environmental Policy Act.

In the ensuing years the first phase facility, which was dependent on upstream debris retention that was not constructed, has been severely damaged and has deteriorated to the point where it constitutes a hazard and could cause damages to adjacent property including the Route 126 freeway which passes over it. Although the first phase facility lies within right-of-way owned by the Ventura County Flood Control District, it has not been accepted for maintenance and remains the responsibility of the Corps.

As provided in the project cooperation agreement, the Flood Control District acquired more than 2.7 miles of right-of-way but the Corps has not fulfilled its obligations under the agreement, since the project remains to be completed.

During the almost 20 years since the project was enjoined, the Corps has attempted to develop an environmentally sensitive project, and during the past several years prepared a General Re-evaluation Report, which is now complete and a Record of Decision on the EIS is awaiting the Chief of Engineers' signature. The recommended project is more environmentally compatible and, based on comments received to date, appears to be acceptable to all interests.

Because of the dismal condition of the first phase facility, it is essential that construction of the project be re-initiated at the earliest possible date. Accordingly, $2.7 million was appropriated for FY 1996. This will enable the Corps to commence replacement of the deteriorated first phase facility with a new facility consistent with overall project recommended in the General Re-evaluation Report. It is our understanding that the Corps will begin physical construction in FY 1996, and needs $4.2 million to continue construction.

It has been determined that the proposed recommended plan being considered in the General Re-evaluation Report can be pursued under the existing project authorization, and that the existing project agreement with the Ventura County Flood Control District can apply with minor modifications. The injunction against further construction is being addressed in the new EIS and, based on coordination to date, no controversy is anticipated.

As mentioned earlier, the existing first phase facility poses a hazard. This was acknowledged as long ago as February, 1990 in a letter from the Commanding Officer, South Pacific Division of the Corps to the Chief of Engineers in which he stated, "I was appalled by the presently deteriorated and unsafe condition of the channel. It was clear to me that the partially constructed concrete channel, damaged by the recent floods and the present build-up of debris and sediment in the channel, poses a threat of flooding that may result in loss of human life and destruction of property." Conditions today are even worse, and demand expeditious action.

Finally, as an indicator of the importance of completing this project to the City of Santa Paula, the following figures are pertinent. About 4000 homes are located, and about 13,000 people live, in the flood plain mapped by the Federal Emergency Management Agency. This flood plain also includes the entire downtown area, the City's historic neighborhoods, and five of seven schools in the elementary school district. Completion of the project recommended in the General Re-evaluation Report will lift the flood threat and the flood insurance premium burden from all of these people and properties.

We sincerely appreciate the subcommittee's consideration of our request.

Hoopa Valley Tribal Council
P.O. Box 1348 ● Hoopa, California 95546 ● (916) 625-4211

Dale Risling
Chairman

HOOPA VALLEY TRIBE
Regular meetings on 1st & 3rd
Thursdays of each Month

8 March 1996

The Honorable John Myers
Chairman, Subcommittee on Energy and Water Development
Congress of the United States
House of Representatives
Committee on Appropriations
Washington, DC 20515-6015

Dear Chairman Myers:

On behalf of the Hoopa Valley Tribe of California (Tribe), I want to express my appreciation for the opportunity to submit testimony regarding the FY 1997 Bureau of Reclamation (Reclamation) budget. A summary of my request is as follows:

1. Maintain the FY 1997 Reclamation budget for the Trinity River Restoration Program and Trinity River Division Operation and Maintenance at the FY 1996 level of $5,067,000 and $4,600,000, respectively.

2. Provide support for the Co-Management Agreement between the Tribe and Reclamation, initiated in 1994, at a level of $750,000.

BACKGROUND OF TRINITY RIVER FISHERY AND WATER ISSUES

In 1963, Reclamation completed construction of the Trinity River Division of the Central Valley Water Project (CVP). The Trinity River Division provides an estimated fourteen percent of the total water reclaimed by the CVP. The Trinity River in Northern California is the largest tributary to the Klamath River, which is the second largest River system in California. For years, the Klamath River has been a large producer of fishery resources for Native Americans, sport fishermen, commercial fishermen, as well as being vital to the economic health of Northern California.

Shortly after completion of the Trinity Dam, and subsequent diversion of river flows from the Trinity River, the fishery and quality of river flows began to seriously decline. In 1984, Congress enacted the Trinity River Restoration Act (PL 98-541) which was an attempt to reverse the estimated eighty percent decline of the fishery and water resources within the Trinity River Basin. Further, the House, in recognition of the need for further restoration work, has unanimously approved HR 2243 which extends the Restoration Program for three years.

In the 1970's, the Tribe established its Fisheries Department and began active participation in fishery and water resource management issues. By the mid-1980's, the Tribe was instrumental in helping to obtain a fishery allocation agreement which, among other things, established a minimum spawner level which protected the reproductive needs of natural fish stocks against the adverse impacts of excessive harvest. The success of the fishery allocation agreement subsequently led to the establishment of the Klamath Fishery Management Council in 1986 (Public Law 99-552). This action was pivotal in that a single planning and management forum, integrating harvest and habitat management, was now established for the Klamath River Basin. Moreover, this process was institutionalized by the Klamath Restoration Act (PL 99-552). Since then, under the guidance of the Self-Determination Project (PL 103-413), the Tribe and Reclamation have developed a Co-Management Agreement whereby Reclamation's habitat management decisions (affecting water quality and quantity) and harvest management issues are coordinated to enhance the fishery resources and economies throughout Northern California and the Pacific Northwest.

Now in its third year, the Co-Management Agreement between the Tribe and Reclamation has contributed not only to the fulfillment Reclamation's Federal trust responsibility to Native Americans, but has also served as a conduit for bringing Federal, State, Tribal and local management agencies together into a constructive and cooperative forum for managing fishery and water resources within the Trinity River Basin. While all of these issues have been partially addressed, both the Tribe and Reclamation continue to regard the Co-Management Agreement as essential for achieving comprehensive long-term fishery and water management within the Klamath River Basin.

AMOUNT REQUESTED AND FUNDING MECHANISMS

1. Funding Request for Construction and Rehabilitation and Operation and Maintenance.

The Tribe requests that the Committee maintain the Trinity River Fish and Wildlife Management Program at Reclamation's FY 1997 proposed level of $5,067,000 for Construction and Rehabilitation and $4,600,000 for Operation and Maintenance to include all fishery monitoring activities within the Trinity River Basin.

2. The Tribe requests that the Committee maintain the Co-Management Agreement between the Tribe and Reclamation at a level of $750,000 for implementation in FY 1997. This amount would provide for continued Tribal involvement in field activities, analysis, and management forums, necessary to provide informed recommendations to Reclamation as well as other federal management authorities.

In 1992, the Tribe and Reclamation initiated the Co-Management Agreement to promote systemic management of Klamath Basin fisheries and water resources. An interdisciplinary team of technical staff from the Tribal Fisheries Department and Reclamation's Mid-Pacific Region has addressed management of tribal trust fishery and water resources. Decision-making in this collegial forum has already produced significant benefits; dramatically improved relations between the Tribe and Reclamation and coordination of operations at the Klamath and Central Valley projects.

The Co-Management Agreement is supported by Reclamation's mid-Pacific Region and serves as a model which demonstrated how complicated and complex multi-jurisdictional issues may be resolved through government-to-government agreements. The Agreement is complemented with an annual trust evaluation aimed at continual refinement of the working relationship between the Tribe and Reclamation. The requested funding would enable the Tribe to pursue its involvement in operations planning, environmental impact analysis, hatchery investigations, fisheries management, and facilitate inter-governmental forums to accelerate resource restoration through unified management actions.

RESULTS ANTICIPATED

Trinity Restoration Program: Effective protection of fisheries, critical to the Hoopa Valley and Yurok Tribes and the economic stability of the fishery dependent communities of northern California and southern Oregon, is promoted through the collective forum and habitat improvement actions of the Trinity Restoration Program.

Identification and implementation of specific remedies and monitoring of fishery trends are expected results of Restoration Program. While many on-the-ground achievements have already been realized, many critical elements have yet to be completed. Among the expected outcomes of the Program for 1997 is the completion of the Environmental Impact Statement to assist the Secretary with implementation of in-river flows required for full restoration of salmonid populations in the Trinity River as mandated under PL 102-575.

Tribal/Reclamation Co-Management Agreement: The Co-Management Agreement will continue to assist in the coordination of federal, state, tribal and local activities (management and research) impacting salmon fisheries and salmon habitat of the Klamath and Trinity rivers. By illustration, accomplishments under this agreement in FY 1996, included maintenance of data collection and analysis programs critical to the integrated management of the Klamath and Trinity fishery resources. With the anticipated expiration of the Trinity Restoration Program on 30 September 1995, state and federal agencies were closing field offices and functions within the Basin for lack of internal budgets to complete monitoring efforts. Recognizing the need for responsible management of the Trinity and Klamath basins, the Tribe and Reclamation acted in concert to persuade these co-managers to commit their scientists to the Basin. Secondly, the Tribe assumed co-lead status in the Basin in an unprecedented partnership with these entities to assure that vital data be obtained for continued management of the habitat and fishery resources. Today, these partnerships are growing under the guidance of the Tribe and Reclamation.

The Co-Management Agreement is intended to restore Trinity River fisheries to pre-project levels. In response to drastic declines in Klamath Basin fish populations, the Tribe has been compelled to develop internal fishery and water management capabilities to a very sophisticated level. In the last several years the Tribe has emerged as a leader in comprehensive basin-wide management of these important resources. Already, this innovative project has yielded substantial benefits as the Tribe has worked effectively with Reclamation to improve coordinated management through the organization of inter-governmental forums.

In 1994, the Tribe led a multi-agency team in coordinating the first ever Klamath Basin fishery symposium which summarized hallmarks in restoration and our collective understanding of habitat and fishery management problems. Symposium proceedings were published and are used today as a comprehensive reference to Basin issues. Future symposia are anticipated as are public information forums and workshops committed to disseminating information across a wide group of scientists, managers, representatives, and publics.

Although the Tribe's relationship with Reclamation has improved significantly in recent years, it is clear that the fishery management problems associated with the Central Valley Project and Klamath Project operations are continuing. Resolution of these issues may only be assured through the continued commitment by the Tribe and Reclamation to ongoing co-management of these important resources.

Again, I appreciate the opportunity to submit testimony regarding Reclamation's FY 1997 budget. I am available to discuss these matters with you in more detail at your convenience.

Sincerely,

Dale Risling, Sr.
Chairman

SAN JOAQUIN FARM BUREAU FEDERATION
MEETING TODAY'S PROBLEMS / PLANNING FOR TOMORROW

March 1, 1996

The Honorable John T. Meyers
Chairman
House Appropriations Subcommittee on Energy and Water Development
2362 Rayburn House Office Building
Washington, D.C. 20515

Chairman Meyers,

The following comments are being sent to you in response of the availability to submit comments to you and your subcommittee for the March 6, 1996 hearing to address California water.

The San Joaquin Farm Bureau Federation is in strong support of the construction of water storage facilities in California that will assist in making available water supplies to meet the needs of which have already caused permanent regulatory drought in our state. A multipurpose Auburn dam as suggested by the honorable Congressman John Doolittle is such a project. However, a multipurpose Auburn Dam is not enough. We must focus on all available water sheds that can support additional storage components, and on those which flood protection and water supply needs can be met together with one project.

Following is descriptive comments about the feasibility of utilizing a current storage facility location to better utilize the existing water shed.

Dear Honorable Chairman Meyers and Committee members:

We urge that you join in seeking necessary authorization and funding for a prompt evaluation of the potential for raising Friant Dam and making multipurpose use of the increased water yield. It is important to resolve the severe over commitment of the existing yield of the San Joaquin river System. This existing yield was already over committed prior to the CVP-IA, the listing of Delta Smelt, and the substantial river flow standards which the State Water Resources Control Board mandates. Raising Friant Dam is conceptually the most viable way to supply a substantial portion of these flows without a major reallocation of water from parties dependent on existing supplies.

This proposed study has been endorsed by the California Water Commission, and has received favorable comment during discussions with CVP Contractors.

USBR reconnaissance studies in 1952, 1975, and 1982 attest to the physical feasibility of the proposal. However, they did not address its yield since 1952 when no flood release data was yet available. They also did not consider the yield that would result if the increased reservoir capacity were used to provide multipurpose downstream benefits.

Furthermore, the US Corps has recently increased its estimate of the size and frequency of flood releases from the existing dam. The reservoir provided by the existing dam is much smaller than the reservoirs on other tributaries.

The substantial potential increase in reservoir capacity can meet several needs. It is important that the evaluation be based on optimizing and evaluating the cumulative benefit of these multiple uses.

1) It will provide fish flows that are not taken from existing Friant water users. Fish flows from Friant to the Merced River are woefully inadequate. If the proposal is combined with a new diversion dam (including fish passage) at Mendota Pool it can provide a major improvement in fishery from Friant to the Merced River and can contribute to fish flows in the main stem of the river along the valley floor and in the South Delta.

2) It will improve flood protection. Friant releases are now the primary contributor to flood flows that exceed the flow capacity of the floodway into the Delta.

3) It will provide protection for downstream superior water rights. Appropriative water right holders on the river system's tributaries have a collective responsibility to bypass a sufficient portion of the unimpaired tributary flows to protect superior water rights along the main stem of the river and in the South Delta. The yield of the proposal could provide the Upper San Joaquin basin's share of that responsibility.

4) The same flows that benefit fishery and protect downstream water rights can go a long way toward correcting the salinity and toxic ion concentration problems caused by the Westside drainage that enters the river primarily via Salt and Mud Sloughs.

5) These same flows would also reduce the burden on New Melones for "water quality" releases and thereby make more New Melones water available to relieve the groundwater overdraft in eastern San Joaquin County or for other purposes.

6) These same flows, after serving the above purposes, can serve directly or indirectly either for Delta outflow or for export. Water yield south of the Delta is worth more than yield north of the Delta because it does not have to be brought across the Delta with attendant problems.

7) It will provide improved recreation in the San Joaquin River Parkway, and improved recreational fishing elsewhere.

8) In evaluating the proposal consideration should be given to the probable value of water yield at the time that the project might be completed. With a forecasted rapid increase in Statewide water shortage it appears inevitable that the value of water will increase significantly.

9) It will provide an increase in hydro power. There will be a net increase, but some loss in power generation upstream of the reservoir will partially offset the gain at the dam.

We are uncertain how this proposal can best be evaluated as a balanced multi-benefit project. Institutional limitations would need to be overcome in order to achieve this all inclusive evaluation. We solicit your support of such a study and your expertise on how it can best be accomplished.

Thank you for your attention to this matter. If there are any questions about the content of this testimony please contact the San Joaquin Farm Bureau federation at P.O. Box 8444 in Stockton, California 95208 or by phone at (209) 931 - 4931.

Respectfully submitted,

William E Bechthold

WILLIAM E. BECHTHOLD
President

Clifford W. Koster

CLIFFORD KOSTER
Water Chairman

CC:
- Honorable Richard Pombo
- Honorable John Doolittle
- Honorable Gary Condit
- Mr. Bob Vice, California Farm Bureau President

FORTNEY PETE STARK
THIRTEENTH DISTRICT, CALIFORNIA

COMMITTEES:
WAYS AND MEANS
JOINT ECONOMIC

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

STATEMENT OF CONGRESSMAN PETE STARK

IN SUPPORT OF SANTA CLARA COUNTY'S PRIORITY FLOOD CONTROL PROJECTS

MARCH 6TH, 1996

Almost a year ago today, Santa Clara County faced the most extensive flooding the area has seen in the last four decades. 200 to 300 houses and buildings in San Jose were damaged by the flooding, and losses were estimated at more than $5 million.

These areas will remain vulnerable until critical flood control projects and studies are completed on the Guadalupe River, the Coyote/Berryessa Creeks, the Upper Guadalupe River and the Upper Pennitenica Creek. Today, some of my colleagues from the San Francisco Bay Area and representatives from the Santa Clara County Water District will speak before the Subcommittee about the importance of fully funding these four projects within the Energy and Water Appropriations bill for fiscal year 1997. Let me stress that I am in complete agreement. The continued funding of these four flood control projects is essential to the health and safety of the residents of Santa Clara County. The Subcommittee has been a huge help in appropriating funds to the projects in the past. I hope their support can continue in fiscal year 1997.

For the Guadalupe River Project, $12.5 million is requested to continue essential construction work critically needed to protect the metropolitan areas of San Jose and Alviso from flooding. For the Coyote/Berryessa Creeks Projects, $2.4 million is requested to complete the critical work being done on Coyote Creek and to complete the preparation and design work for Berryessa Creek. Additionally, in response to the high flood risk both the Upper Guadalupe River and the Upper Pennitencia Creek present to the communities in Santa Clara County, $580,000 has been requested to complete the feasibility study for the Upper Guadalupe River Project and $665,000 to initiate a similar study for the Upper Pennitenica Creek Project.

Funding for the Guadalupe River Project, the Coyote/Berryessa Creeks Projects and the Upper Guadalupe River feasibility study are included in the Administration's budget for fiscal year 1997.

Again, let me stress how important these key flood control projects are to the health and safety of the residents of Santa Clara County. The flooding that ravaged Santa Clara County last March can and will happen until these flood control projects are completed and in place. I would like to thank the Subcommittee for the strong support they have given our flood control requests over the years and hope they can do the same in fiscal year 1997.

TESTIMONY OF THE LOS ANGELES DEPARTMENT OF WATER AND POWER BEFORE THE ENERGY AND WATER DEVELOPMENT SUBCOMMITTEE HOUSE COMMITTEE ON APPROPRIATIONS

MARCH 6, 1996

Good morning, Mr. Chairman. My name is Bill McCarley and I am General Manager of the Los Angeles Department of Water and Power. The Department is the largest municipal utility in the United States, serving a city population of 3.5 million.

My purpose here today is to respectfully request the subcommittee's approval and inclusion of an appropriation of $5,190,000 for fiscal year 1997 for the Department's East Valley Water Recycling Project. This project was authorized pursuant to Section 1613 of P.L. 102-575, the Reclamation Projects Authorization and Adjustment Act of 1992 (Act).

When completed, the East Valley project will cost $55 million, of which the Department will contribute $42 million, or 75% of the total cost. The 25% federal share amounts to $13 million, of which we have already received $2.5 million. Our request of $5.19 million for fiscal year 1997 will help keep this project on schedule toward completion at the end of 1998.

The East Valley Water Recycling Project represents the cornerstone of Los Angeles' commitment to water reclamation. It will distribute more than 32,000 acre feet per year of reclaimed water to our local San Fernando Valley Groundwater Basin. The recycled water will also eventually be used for irrigation and industrial purposes.

The project involves the construction of a pump station and installation of thirteen miles of underground pipe connecting the Tillman Water Reclamation Plant in Van Nuys to the San Fernando Valley. In the coming fiscal year, we expect to lay 30,000 feet of pipe and complete the design of the pump station.

Mr. Chairman, Los Angeles is an arid region that has traditionally relied heavily on imported sources of water to meet its needs. Imported water will continue to provide most of the necessary supply. However, increased environmental concerns, several recent years of drought, limitations on the ability to further develop state water supplies, and other factors have caused Los Angeles to aggressively embrace water reclamation as an integral part of its water future along with water conservation. Our goal is to displace up to 10% of our water supply by 2010 with reclaimed water.

While the East Valley recycling project represents a vital part of the City's effort to recycle and reuse water, there are other critical recycling projects being planned by the

Department. It is our intention to appear before this subcommittee again next year to request funding for a second facility -- the Los Angeles Harbor Recycling Project -- which will recycle secondary effluent produced by the City's Terminal Island Treatment Plant.

Mr. Chairman, the Department appreciates the opportunity to appear before you today to submit this statement. Thank you for your longstanding support of water reclamation projects in Southern California.

COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS

STAN WISNIEWSKI
DIRECTOR

KERRY GOTTLIEB
DEPUTY DIRECTOR

JUDITH KENDALL
DEPUTY DIRECTOR

March 1, 1996

Honorable John Myers, Chairman
Energy and Water Development Subcommittee
House Committee on Appropriations
2320 Rayburn House Office Building
Washington, D. C. 20515

Dear Chairman Myers:

FISCAL YEAR 97 FUNDING FOR MARINA DEL REY DREDGING AND NAVIGATION STUDY, AND MALIBU COASTAL STUDY

Los Angeles County respectfully requests that the Congress of the United States include funds in FY 1997 Energy and Water appropriations for the following three projects, which are urgently required to preserve, restore, and maintain vital and precious public recreation assets.

Marina del Rey Entrance Channel Dredging
($5,000,000)

The U. S. Army Corps of Engineers is responsible for maintenance dredging of the Marina del Rey's entrances and main channel, pursuant to a perpetual right of way and easement agreement with the County. The last significant dredging of Marina del Rey occurred in 1981, with 217,000 cubic yards of material removed. Since then, 35,000 cubic yards were removed in 1987 and 55,000 cubic yards were dredged in 1994.

There are currently over 500,000 cubic yards of sediment that need to be removed to return the entrances to a design depth of 20 feet. Shoaling in the south entrance has left a navigable channel that is only 60 feet wide (10% of the entrance width), with a minimal depth for boating safety, of 10 feet. The north entrance, which is approximately 50% closed, must serve two-way traffic, resulting in 80% of the reported boat groundings.

The near emergency created by these conditions has lead to a plan to dredge 240,000 cubic yards of clean sediments at the end of March and early April, 1996. This project which is being funded out of current year appropriations, will not only open 50% of the south entrance and 90% of the north entrance, it will also provide time for continuing work on the long-term solution to the Marina's dredging problem. However, it will leave 300,000 cubic yards of contaminated sediments that must be removed to regain design depth and avoid annual emergencies caused by shoaling.

FAX (310) 821-6345
(310) 305-9503 13837 FIJI WAY, MARINA DEL REY, CALIFORNIA 90292

Because the President's FY 97 budget has not been released, it is not known if any funds have been included to perform maintenance dredging at Marina del Rey. We are, therefore, requesting your support for an appropriation of $5 million to remove the 300,000 cubic yards of sediments, which continue to threaten the ability of the U. S. Coast Guard, the County Sheriff's Harbor Patrol, the County Lifeguards and the City and County Fire Departments to respond to emergencies. As these agencies are the critical core of the LAX Air-Sea Disaster Response Team, it is imperative that the Marina's entrances remain open and safely navigable.

To avoid the potential cost of upland disposal of the 300,000 cubic yards of contaminated sediments, which could be $30 million, the County is working with the City of Long Beach, the Corps, the Environmental Protection Agency, and others, to gain approval for use of the City of Long Beach's borrow pits for contaminated sediment disposal. The City has 1,400,000 cubic yards of sediment in the Los Angeles River estuary that must be removed, for which they will be requesting approximately $6.4 million from Congress. Because the dredging of Marina del Rey will depend on completion of the City's project, the County asks that you support their funding request, as well as ours.

Marina del Rey and Ballona Creek Feasibility Study
($500,000)

The sediments creating navigational hazards in Marina del Rey's entrances contain contaminants that make dredging and disposal difficult and costly. The U. S. Army Corps of Engineers has completed a reconnaissance study which established that there is a Federal interest in solving this problem. The feasibility phase of the study is about to begin, with the County agreeing to provide 50% of the necessary funding.

The study's scope is currently being finalized. It will focus on an economical and environmentally safe disposal option for the contaminated sediments, as well as on actions that can be taken in the Ballona Creek watershed that will eliminate or reduce the flow of contaminated sediments into Marina del Rey's entrance. Dedicated staff from the County, the Corps, the City of Los Angeles, the Santa Monica Bay Restoration Project, Heal the Bay, and other environmental and regulatory agencies have worked to limit the scope, time, and cost of this study. Current estimates are that the study will require two to three years to complete, at a cost of $2 million. It is unknown at this time if there are any funds in the President's FY 97 budget for this study. We, therefore, request your support for an appropriation of $500,000 for the Federal share of the cost in FY 97.

Malibu Coastal Area Shoreline Protection Study
($200,000)

A reconnaissance study, which was conducted by the U. S. Army Corps of Engineers, determined that there is a Federal interest in a project that would widen a sandy beach to protect Pacific Coast Highway, and other coastal property, as well as to expand public access to the beach. The next phase of the project would be the Corps' feasibility study, which would cost $1.4 million. At present, the County has not agreed to share in the cost of the study because it has no means to finance the long-term costs for maintenance and renourishment of the beach. As a consequence, the project will probably not be included in the President's FY 97 budget; however, the County supports the recommendation of the California Marine and Navigation Conference (C-MANC) that $200,000 be added to the FY 97 budget for the Federal share of this study's cost.

Because this project would be of great benefit to the public, providing a beautiful beach and protection for the main traffic artery between the Malibu coastline and Los Angeles, the feasibility study should be funded for FY 97. The County is hopeful that funding sources could be secured during that time to ensure that future costs of the project could be met.

Opposition to Presidential Policies

Los Angeles County strongly opposes the President's policies related to the elimination of Federal funding for maintenance dredging of recreational harbors and for shoreline protection projects. Attached is a copy of a letter to the President, signed by four County Supervisors, concerning this matter.

While we believe the Federal Government is obligated by statute and agreement to perform maintenance dredging in Marina del Rey, and despite the fact that Marina del Rey should be exempt from the President's policy by virtue of its inclusion in the Harbor Maintenance Trust Fund, we request your opposition to the President's policy and your support of requests for funding of maintenance dredging projects for recreational harbors.

Shoreline protection projects should also be supported, particularly in southern California, where the beaches and coastal areas are heavily populated and popular recreational destinations. Travel and tourism are among the nation's largest and fastest growing industries, with 85% of all tourism revenues being generated in coastal states. Unfortunately, only a small portion of the Federal tax dollars generated by coastal tourism is being returned to coastal regions in the form of shore protection and beach renourishment. In fact, the Federal government spends as much as ten times more money on a single crop subsidy, in one state, as it does nationwide on beach restoration.

The difficult task of making shrinking financial resources stretch to meet the growing demand for services faces all of us in government. I trust that you and your Committee will not only be equal to the task, but will recognize the importance of funding the projects discussed in this letter. Again, your consideration of these requests and your continued support are very deeply appreciated.

Respectfully submitted,

Stan Wisniewski

Stan Wisniewski, Director

SW:DRS:be
Attachment
c: Senator Barbara Boxer
Senator Diane Feinstein
Congressman Vic Fazio
Congressman Frank Riggs
Assistant Secretary of the Army H. Martin Lancaster

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES
383 KENNETH HAHN HALL OF ADMINISTRATION / LOS ANGELES, CALIFORNIA 90012

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(213) 974-1411

Department of
Beaches & Harbors

JAN 23 '96

	Info	Act
Director	[illegible]	copy
Exec Asst		
Asst Mgmt		
Planning		✓
Admin Srvcs		
Safety/San		
Human Res		
Cmty Srvcs		

January 18, 1996

The President
The White House
Washington, DC 20500

Dear Mr. President:

DREDGING MARINA DEL REY

Marina del Rey is the largest small craft harbor in the United States, serving California's population epicenter. The Marina is owned and operated by the County of Los Angeles, but the dredging of its entrances and main channel are the responsibility of the Army Corps of Engineers. Marina del Rey has not been thoroughly dredged since 1981. Therefore, the south entrance is now on the verge of completely closing and the north entrance is 50% closed. This cripples any ocean rescue response to air/sea disasters off of Los Angeles International Airport (LAX). Accordingly, the United States Coast Guard has appealed to the Corps of Engineers for an emergency dredging.

We have been informed by the Army Corps of Engineers that it does not have any funds to perform a dredging project in Marina del Rey this year, not even for an interim dredging to remove clean sediments, which can be economically placed on an adjacent beach. Development of an aggressive long-term solution to this entrance navigation problem is underway.

The Marina is important to the economy of Los Angeles County and the State of California. It is critical that every effort be made to keep its entrances safe for navigation and to maintain emergency response preparedness for LAX, one of the largest airports in the world. Therefore, on behalf of the residents of Los Angeles County, we request that you direct the Corps of Engineers to perform its mission. This is now becoming a matter of considerable public concern and County government asks for the support of the Administration.

Very truly yours,

Mike

MICHAEL D. ANTONOVICH
CHAIRMAN
SUPERVISOR, 5th DISTRICT

Yvonne B Burke

YVONNE BRATHWAITE BURKE
SUPERVISOR, 2nd DISTRICT

Zev Yaroslavsky

ZEV YAROSLAVSKY
SUPERVISOR, 3rd DISTRICT

Deane Dana

DEANE DANA
SUPERVISOR, 4th DISTRICT

0116-4.L3

287,000 ACRES SITUATED IN NEVADA, PLACER, SIERRA & YUBA COUNTIES

<file.

NID Nevada Irrigation District

10836 ROUGH & READY HWY. • P.O. BOX 1019 • GRASS VALLEY, CA 95945-1019 • (916) 273-6185

AUBURN & LINCOLN: 1-800-222-4102
FAX: 477-2646

March 1, 1996

IN REPLYING REFER TO FILE NO 5/1-M

Honorable John T. Meyers, Chairman
Appropriations Subcommittee on Energy
and Water Development
1526 Longworth House Office Building
Washington, DC 20515-0504

RE: AUBURN DAM

Dear Mr. Meyers:

The Board of Directors of the Nevada Irrigation District unanimously supports the construction of a "full-size" Auburn Dam. The significance of completing this sorely needed water supply and flood control facility has been told many times and we will repeat some of them again in the following.

The most recent California Water Plan Update (Bulletin 160-93) October 1994, published by the Department of Water Resources is a comprehensive plan to guide and coordinate current and beneficial use of California's water resources. These blueprints for water management and development describe California's current water use and supply while additionally projecting future water needs for the beneficial uses of California's limited water supplies.

The bulletins point out the environmental, urban, and agricultural uses of water as reported and documented by the water managers, users, and planners most knowledgeable of the water needs within California.

The plan points out, through consultation with these same stakeholders, that a future water shortage will occur based upon presently known population forecasts and continued growth required for the environmental, agricultural, and municipal/industrial uses of the State's limited water supplies. The bulletin has been developed with extensive public involvement serving as outreach advisors since they are the users of these limited water supplies.

Directors: David E. Southern, Division 1 • Ernst L. Bierwagen, Division 2 • Dale H. Birdsall, Division 3
R. Paul Williams, Division 4 • George Leipzig, Division 5
General Manager: James P. Chatigny • **Secretary**: Dorothy P. Miller • **Treasurer**: Teresita T. Andrews
Attorneys: Minasian, Minasian, Minasian, Spruance, Baber, Meith & Soares

Bulletin 160-93 points out that projected shortages after applying all of the best management practices including major conservation programs, reclamation and conjunctive uses, and increased on farm efficiencies could result in annual shortages of 3.7 to 5.7 million acre feet (MAF) by the year 2020, if no additional facilities are constructed. Since California encompasses significantly different and unique hydrological areas, shortages would effect residents of California in dissimilar ways. However, should drought conditions occur, water shortages could be drastically effected and exceed the above referenced numbers creating a dire emergency for the citizens of California as well as the State's economy suffering a fiscal dilemma.

The Nevada Irrigation District is primarily situated in the foothills above Sacramento. The elevation of lands ranges from 200 - 3,500 feet in elevation. Surface storage provides agricultural, municipal, and industrial water to meet the safety, welfare, environmental, and economic needs of our customers. Storage of water occurs from precipitation in the form of rain or snow melt from mountain watersheds. Should drought or shortages occur, it is not feasible or practical to pump water from the valley floor (Sacramento/Feather rivers) to meet the District's responsibilities of providing a safe, secure, and reliable water service to our customers. Customers include the Cities of Grass Valley and Nevada City. There are no defined ground water aquifers in our service area.

It is extremely important that as populations increase that surface water storage also increase to meet future demands. The Auburn Dam provides a significant benefit to the foothill communities as the future water storage facility to meet the projected water shortages facing California.

Specifically a "full service" Auburn Dam would make an alternate supply of water to the District's service area in proximity of the dam. A previously constructed tunnel which would deliver water by gravity to our service area and allow for rerouting of water to other areas of the District.

In closing, I thank the Committee for the opportunity to make Nevada Irrigation District's position known concerning the Auburn Dam. If the foothill areas above Sacramento are to meet water needs of its present and future needs, Auburn Dam must be approved, funded, and constructed in order to offset the projected shortages that will occur in the year 2020.

Auburn Dam will also, as noted in numerous reports and studies, provide for the safety of the residents of Sacramento and adjacent areas a large measure of flood control protection. This is a major goal of organizations, public officials, and individual residents in low lying areas around the American river channel.

Sincerely yours,

NEVADA IRRIGATION DISTRICT

Dale H. Birdsall

Dale H. Birdsall
President

DHB/JPC:gcb

**CONTRA COSTA
WATER DISTRICT**

1331 Concord Avenue
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Concord, CA 94524
(510) 688-8000 FAX (510) 688-8122

Directors
Joseph L. Campbell
President
James Pretti
Vice President
Elizabeth R. Anello
Bette Boatmun
Noble O. Elcenko, D.C.
Walter J. Bishop
General Manager

March 5, 1996

The Hon. John Myers
Chair, Energy and Water Development
Appropriations Subcommittee
2362 Rayburn House Office Building
Washington, DC 20515

Subject: Contra Costa Canal Intake Fish Screen Project

Dear Rep. Myers:

The Contra Costa Water District requests that the Committee include an appropriation of $1.5 million in FY 97 for the Contra Costa Canal intake fish screen project. The fish screen is of vital interest and concern to the District. Failure to complete the project by October 1, 1998 would directly threaten the ability of the District to pump water to meet the needs of 400,000 people served by the District. Two conditions establish the urgency of this request:

1) A requirement on the Secretary of Interior to construct and operate fish screening and recovery facilities at the intake is a provision of the Central Valley Project Improvement Act (CVPIA), Section 3406 (b)(5). The Act establishes that 75 percent of the cost is a federal obligation.

2) A 1993 US Fish and Wildlife Service (USFWS) biological opinion for the protection of Delta Smelt. The biological opinion states that the Contra Costa Canal fish screening facilities must be constructed and made fully operational no later than October 1, 1998. It provides authority for the federal agency to shut down pumping of the District's water supplies if the screen is not completed. USFWS has advised recently that it intends to require compliance.

Since the issuance of the biological opinion, the District has proceeded energetically with federal agencies to accelerate the planning and development of the fish screening facility. The District has provided funds for the monitoring of fishery conditions at the intake and financially has supported the initial planning for the facility.

With the essential support of the Committee last year, the Congress included $80,000 in the FY 96 budget for initial work on the fish screen facilities.

In FY 97, substantial funding must be provided to assure that the fish screening facilities are constructed to meet the federal schedule. The District estimates that the total cost of design and construction for the Rock Slough fish screen will be at least $5 million. In order to meet the scheduled completion date of October 1, 1998 the District is requesting that $1.5 million be appropriated in FY 97 and $2.25 million be appropriated in FY 98 for the federal share of the project.

It should also be noted that the District is a substantial contributor to the CVPIA Restoration Fund, currently paying approximately $1.3 million annually into the Restoration Fund under Section 3407 of the CVPIA. A principle purpose of the Restoration Fund is to provide funds for CVP fish screen, including this project.

The District is also working with state agencies to obtain the remaining 25 percent share of the project costs, as directed by CVPIA.

The District appreciates the Committee's consideration of this item and strongly urges that it fund this important project in the FY 97 appropriations.

Sincerely,

Joseph L. Campbell
President
Board of Directors

JLC/AJD/sg
cc: Rep. Frank Riggs
Rep. Bill Baker
Board of Directors

United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable John T. Myers, Chairman

Testimony of Keith Israel
General Manager
Monterey Regional Water Pollution Control Agency (MRWPCA)

March 6, 1996

Mr. Chairman, thank you for the opportunity today to provide this testimony for inclusion in the hearing record on the Fiscal Year 1997 Energy and Water Development Appropriations bill. Monterey Regional Water Pollution Control Agency, a joint-powers entity formed under the laws of the State of California, was created in the early 1970's to implement a plan that called for consolidation of the Monterey Peninsula and northern Salinas Valley wastewater flows through a regional treatment plant and an outfall to central Monterey Bay. The plan also required studies to determine the technical feasibility of using recycled water for irrigation of food crops (artichokes, celery, broccoli, lettuce, and cauliflower) in the Castroville area. These studies were initiated in 1976 and included a five year full scale demonstration of using recycled wastewater for food crop irrigation. California and Monterey County health departments concluded in 1988 that the water was safe for food crops that would be consumed without cooking. Subsequently, the Salinas Valley Seawater Intrusion Committee voted to include recycled water in their plan to slow seawater intrusion in the Castroville area.

The project will provide 19,500 acre feet of recycled water to land south and west of Castroville where abandonment of wells threatens agricultural production and the loss of a portion of rural America. It will also reduce discharge of secondary treated wastewater to the recently created Monterey Bay National Marine Sanctuary. The California Water Resources Control Board specifically indicated its strong support for the Salinas Valley Reclamation Project in a 1994 letter to the USBR.

Before continuing, let me express my sincere appreciation for your continued support for the Small Reclamation Loan Program and specifically for the Salinas Valley Reclamation Project. Last year, this subcommittee, through your leadership and the hard work of Congressman Bevill, provided $1.1 million for our project. I am pleased to report that the funds appropriated thus far are being well spent on our project which began construction in August 1995. We are on schedule and are looking forward to project completion during the summer 1997.

While the President has not yet submitted his 1997 budget, we have been in close consultation with Bureau of Reclamation and the other Small Reclamation Loan Program participants during the past several months in an attempt to provide the Committee with a consensus budget request that has the support of the Administration and the Loan Program participants. Based on these discussions, we are hopeful that the Administration will request, with our support and endorsement, sufficient funding for the Salinas Valley Reclamation Project as part of the Bureau of Reclamation's P.L. 84-984 Small Reclamation Loan Program for continuation of loan obligations. This appropriation amount, when combined with other federal funding which is available from the U.S. Treasury pursuant to the Federal Credit Reform Act of 1990, will yield a total loan amount that we believe will meet the federal government's commitment for FY 1997. The amount requested, when combined with the additional Treasury portion, is intended to fulfill the Bureau's second year loan commitment for assistance to construct the project. As I indicated, the funding request is the result of a lengthy and complex financial agreement worked out with the other Loan Program participants and the Bureau. The agreement represents that absolute minimal annual amount necessary to proceed with the project. The MRWPCA worked under the premise of accommodating the Bureau's budgetary constraints and has agreed to expend considerable local funds to bridge the federal government's budgetary shortfall. Any additional cuts in federal funding will jeopardize the complex financing plan for the project.

Even though the additional private debt service will increase the project costs, the critical problem of seawater intrusion demands that the project proceed. The USBR loan is a crucial link in project funding, and it is imperative that annual appropriations, even at the planned reduced rate over eight years, continue. The federal funds requested under the P.L. 84-984 program will be repaid by landowners in the Salinas Valley with assessments that are currently in place. Local funds totaling $5.1 million have already been spent getting to this point.

Mr. Chairman, we urge you and the members of the subcommittee to give your continued support to the Small Reclamation Loan Program and specifically to the Salinas Valley Reclamation Project.

Your support and continued assistance will be much appreciated.

United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
The Honorable John T. Myers, Chairman

Testimony of Michael D. Armstrong
General Manager
Monterey County Water Resources Agency (MCWRA)

March 6, 1996

Mr. Chairman, thank you for the opportunity to provide testimony for inclusion in the hearing record on the Fiscal Year 1997 Energy and Water Development Appropriations bill. The people of the Salinas Valley in California's 17th Congressional District appreciate your willingness to accept our statements in support of the Castroville Seawater Intrusion Project. I would further like to express our deep appreciation for your efforts during the development of the FY 1996 Energy and Water Development Appropriations bill. I am pleased to report that the notice to proceed with the project was executed with our construction contractors in August 1995 and that project construction is on schedule to be completed in June 1997.

While the President's budget has not yet been released, we and the other Small Reclamation Loan Program participants have been working closely with the Bureau of Reclamation on multi-year strategies designed to meet the needs of all the projects in the Program while recognizing the fiscal constraints facing all levels of government. As with last year, it is our intention to present the Appropriations Committee with a consensus budget request that is supported by the Administration and all the Small Reclamation Loan Program participants. To that end, during the past several months, we have been in close consultation with the Bureau and the other Program participants and have developed funding plans that we believe will lead the Bureau of Reclamation (USBR) to request sufficient funding for the Castroville Seawater Intrusion Project as part of the President's FY 97 Budget for the P.L. 84-984 Small Reclamation Loan Program. This appropriation amount, when combined with other federal funding which is available from the U.S. Treasury pursuant to the Federal Credit Reform Act of 1990, should yield a total loan amount for FY 97 that will allow the project to proceed on schedule.

The Monterey County Water Resources Agency is a local government entity formed under the Monterey County Water Resources Agency Act. It is an agency with limited jurisdiction involving matters related primarily to flood control and water resources conservation, management, and development. The Salinas Valley is a productive agricultural area that depends primarily on groundwater as a water supply. The combination of the Valley's rich soils, mild climate, and high quality groundwater makes this valley unique among California's most fertile agricultural land and has earned the Valley the distinction as the "Nation's Salad Bowl." As agricultural activity and urban development have increased in the past forty years, groundwater levels have dropped allowing seawater to intrude the groundwater aquifers. Seawater intrusion is extensive adjacent to the coast near the town of Castroville. The Castroville Seawater Intrusion Project will provide 19,500 acre-feet of recycled water for agricultural irrigation to over 12,000 acres and help solve the seawater intrusion problem by greatly reducing pumping in the project area. The California Water Resources Control Board specifically indicated its strong support for the Castroville Seawater Intrusion Project in a 1994 letter to the USBR. The Castroville Seawater Intrusion Project is an essential component in the MCWRA's plan to deal with basin-wide groundwater overdraft and seawater intrusion.

The amount requested in FY 1997, when combined with the additional Treasury portion, is intended to fulfill the Bureau's second year loan commitment for assistance to construct the project. As I stated, the funding request that we anticipate is the result of a lengthy and complex financial agreement worked out with the other Loan Program participants and the Bureau. The agreement recognizes the tight federal budgetary constraints and represents that absolute minimal annual amount necessary to proceed with project. The MCWRA has been extremely accommodating of the Bureau's budgetary constraints and has agreed to expend considerable local funds to bridge the federal government's budgetary shortfall. Any additional cuts in federal funding will jeopardize the complex financing plan for the project.

In August 1992, the original loan request was submitted to the Bureau. Subsequent approval was received from the Secretary of Interior in May 1994. Through extensive discussion and negotiations between MCWRA and the USBR, a project financing plan was created. The USBR made it quite clear that the original provisions in the loan application of full disbursement during the three years of construction could not be met due to federal budget shortfalls. As defined in the new repayment contract, the USBR will disburse funds to the MCWRA over an eight year period. This means that the MCWRA will receive these funds for five years after the project is operational. This also means that the MCWRA has had to acquire "bridge financing" to meet the needs of the Castroville Seawater Intrusion Project construction costs. Even though the additional private debt service has increased the project costs, the critical problem of seawater intrusion demands that the project proceed. The USBR loan is a crucial link in project funding, and it is imperative that annual appropriations, even at the planned reduced rate over eight years, continue. The federal funds requested under the P.L. 84-984 program will be repaid by landowners in the Salinas Valley with assessments that are currently in place. The Monterey County Water Resources Agency has spent approximately $10.3 million of its own funds getting to this point.

Mr. Chairman, we urge you and the members of the subcommittee to give your continued support to the Small Reclamation Program and urge the inclusion of funds for the Castroville Seawater Intrusion Project. Without your continued support, we will not be able to realize the benefit of the work completed over the past several years and the groundwater basin will continue to deteriorate, creating a significant threat to the economy as well as to the health and welfare of our citizens.

Again, thank you for your support and continued assistance.

BEFORE

U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON ENERGY AND WATER
HON: JOHN MYERS, CHAIRMAN

TESTIMONY ON
F.Y. 1997 ENERGY AND WATER APPROPRIATIONS
NEWPORT BEACH AND ASSOCIATED PROJECTS

PRESENTED BY
CITY OF NEWPORT BEACH, CALIFORNIA
JOHN WOLTER, DEPARTMENT OF PUBLIC WORKS
MARCH 6, 1996

CITY OF NEWPORT BEACH

PUBLIC WORKS DEPARTMENT
P.O. BOX 1768, NEWPORT BEACH, CA 92658-8915
(714) 644-3311

March 6, 1996

Honorable John Myers, Chairman
Subcommittee on Energy and Water Development
Committee on Appropriations
2362 Rayburn Hourse Office Building
Washington D.C. 20515

Subject: Statement of the City of Newport Beach before the Committee on Appropriations March 6, 1996

Dear Mr. Chairman and Members of the Committee,

The City of Newport Beach is in support of the California Marine Affairs and Navigation Conference (CMANC) proposal for the 1997 Federal budget, which proposes funding of several Corps of Engineers studies and projects which affect the City of Newport Beach. In particular the City requests your support for continued funding of the Santa Ana River Mainstem Project which enters the Pacific Ocean adjacent to the City.

The City also supports four other Corps of Engineers projects with funding recommended in the 1997 fiscal year. These are described below:

1. Newport Harbor Entrance Jettys - complete repairs ($1,900,000)
   The Corps' Los Angeles District has completed a condition survey of the Harbor entrance jettys and recommends maintenance and rehabilitation of only the West jetty. Both jettys show signs of storm damage and wear since their construction in the late 1920's and early 1930's. For over 60 years the East jetty has provided public access, which the Corps of Engineers has now recommended closing in lieu of maintenance. The City therefore recommends that a total of $1,900,000, which includes $500,000 for concrete repairs to the East jetty, be provided in the 1997 fiscal year under operations and maintenance in the Bill that you are considering.

2. The Upper Newport Bay - Feasibility Study ($200,000)

   The Corps' Los Angeles District has completed a reconnaissance report which determined Federal interest in the project and recommended preparation of a feasibility study. The study will provide planning and engineering necessary to extend the existing Federal Channel into Upper Newport Bay, and to remove sediment from the Upper Bay to enhance and protect wetland areas, salt marsh and navigational channels. Funding to initiate the study was approved in the 1994 Federal budget. This request is for $200,000 needed to continue the study. The County of Orange and the City of Newport Beach are the local sponsors providing 50/50 matching funds for the study.

3300 Newport Boulevard, Newport Beach

3. Stage 10 Cooperative Federal Beach Erosion Control Project Surfside/Sunset Beach to Newport Beach ($5,500,000)

These funds are necessary to continue beach nourishment. This project constructed the West Newport Beach Groin Field and beach fill during the 1970's and has continued to dredge sand onto a feeder beach at Surfside/Sunset Beach. The project also includes the placement of sand onto the beach within the West Newport Beach Groin Field. The State of California, County of Orange, Surfside Private Community, City of Huntington Beach, and City of Newport Beach are local sponsors. The cooperative project provides for 67% Federal and 33% Local matching funds for the project.

4. Newport Harbor/Dana Point Harbor, Dredge Material Ocean Disposal Site, LA-3 ($300,000)

These funds are necessary for the Corps of Engineers and the Environmental Protection Agency to complete all actions, planning and environmental studies necessary to allow for permanent designation of the LA-3 ocean disposal site. The site is used by the Corps of Engineers and other public and private interests for disposal of dredged material meeting certain criteria. The LA-3 disposal site has been used for years without any problems for disposal of fine sediment and mud, which is not suitable for beach replenishment, dredged from channel maintenance and wetland restoration projects. The cost of dredging will be significantly increased and projects may become infeasible, if the LA-3 disposal site is closed because there are no practical alternative disposal sites available.

Thank you,

John Wolter

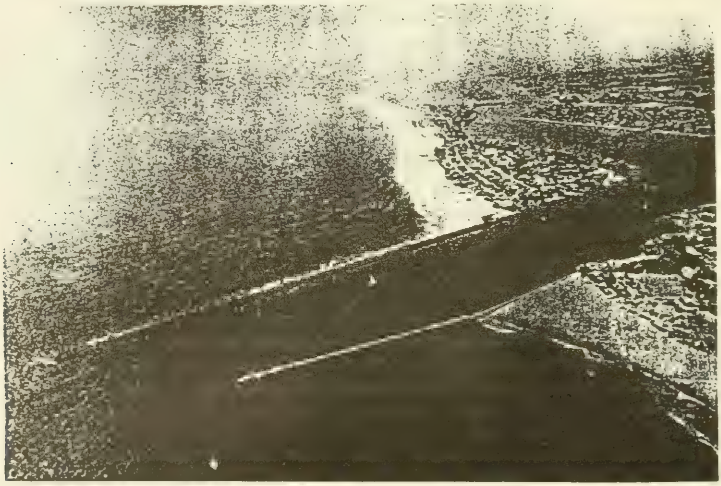
John Wolter
Cooperative Projects Engineer

JW:kc

US Army Corps
of Engineers
Los Angeles District

Newport Bay Harbor
Orange County, CA

Condition Survey for Entrance Jetties



November 1993

EXECUTIVE SUMMARY

This condition survey was conducted for the purposes of identifying the present condition of the Federal structures, evaluating the necessity of scheduling a rehabilitation contract, and developing a long-term program for monitoring and inspection. Extensive field data was collected which included side scan sonar surveys, topographic and fathometric surveying, and visual observations.

The west jetty STA 8+00 - 15+00 is in poor condition and is recommended for repairs to full design conditions. Although the structural integrity is not immediately threatened and there is no threat of imminent failure, there are indications of serious storm damage and wear. Crest elevations and cross-sectional profiles indicate a general poor agreement with design profiles.

The west jetty STA 15+00 - STA 29+75 is in poor condition and is recommended for repairs to full design conditions on the seaward side between STA 15+00 - STA 27+00, and selected locations on the channel side. Visual observations and cross-sectional profiles indicate a poor agreement with design profiles. Damage is significant enough such that the structural integrity is immediately threatened by a significant storm event.

The west jetty STA 29+75 - STA 36+50 is in good overall condition and performing its intended function well. Visual observations and cross-sectional profiles indicate a good agreement with design profiles. The head section is recommended for rehabilitation to full design condition.

The reinforced concrete bulkhead section of the east jetty is in fair overall condition and performing its intended function; no structural rehabilitation is recommended. The interlocking sheet piles appear in good condition but the ends indicate deterioration. The concrete slab deck has deteriorated. However, the slab deck is not an integral structural member and serves mainly to contain the supply of fill sand between the bulkheads. The present condition of the deck does not immediately threaten the jetty system; the potential for future related progressive damage to the jetty structure or function is low. The concrete slab deck is not recommended for repairs at this time. Some of the sand fill between the two bulkheads has been lost over time; it is recommended that this fill be replaced. The deck currently serves as a pedestrian promenade. Due to the wave overtopping that can occur and the deterioration of the deck, in the interest of public safety it is recommended that all pedestrian and/or vehicular access be restricted.

The east jetty spur is in excellent condition at this time and requires no remedial action.

Photo 38. East jetty reinforced concrete bulkhead, general view from seaward STA 24+30.

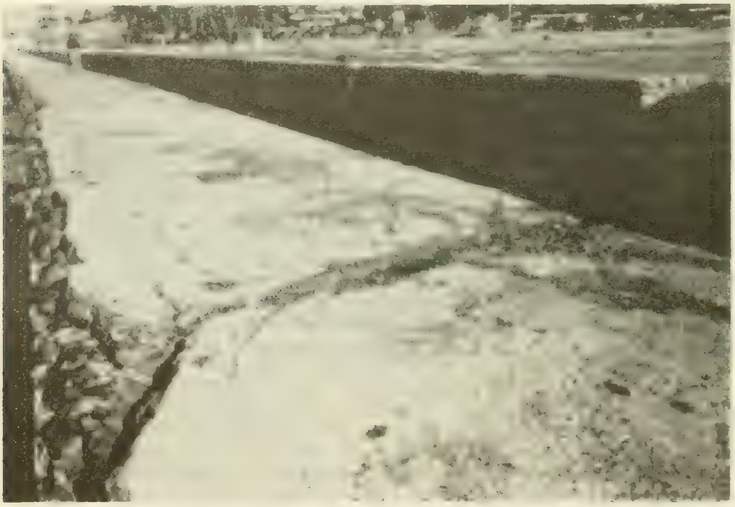


Photo 39. East jetty bulkhead, reinforced concrete deck. Note cracks.

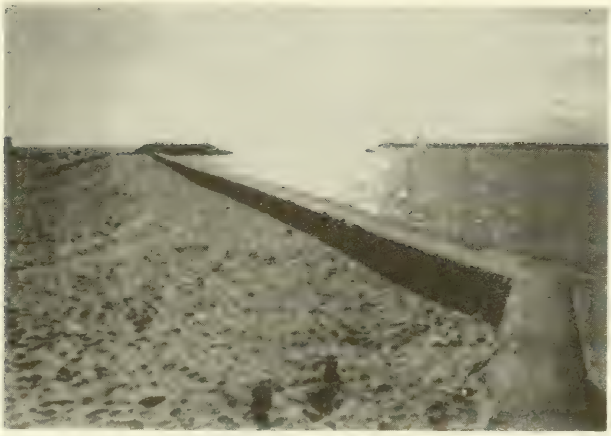


Photo 40. East jetty bulkhead, general view from beach STA 17+07. Note parapet and sand to el +11 ft.

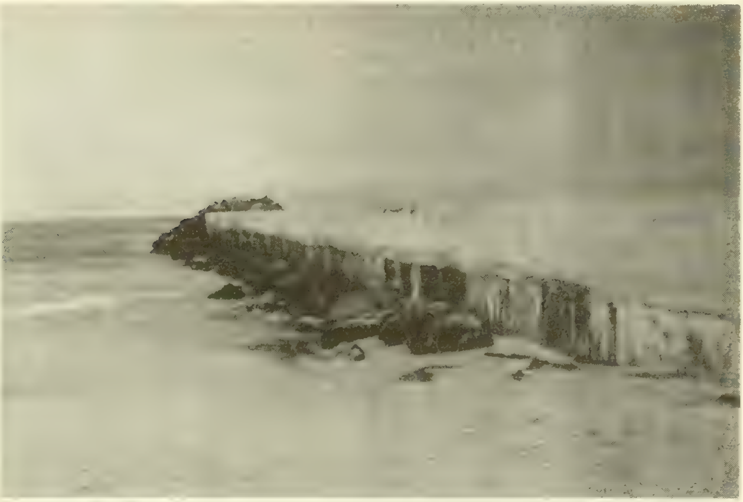


Photo 41. East jetty bulkhead, general view from beach STA 21+00. Note revetment condition.

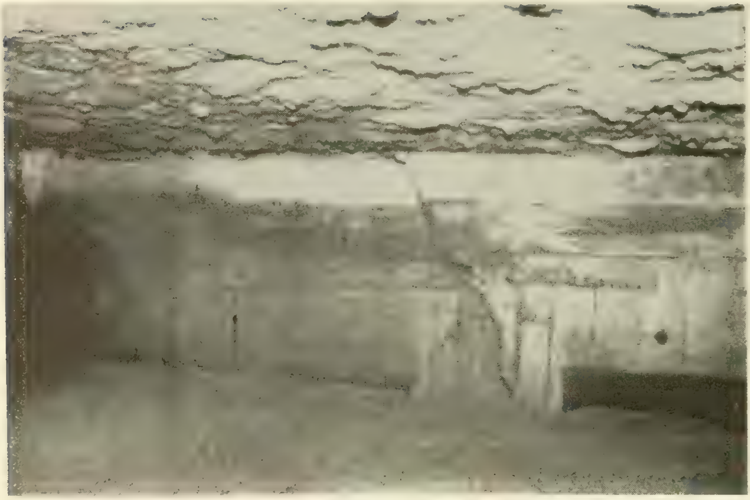


Photo 44. East jetty bulkhead, interior view of cast-in-place beam. Note shear crack.

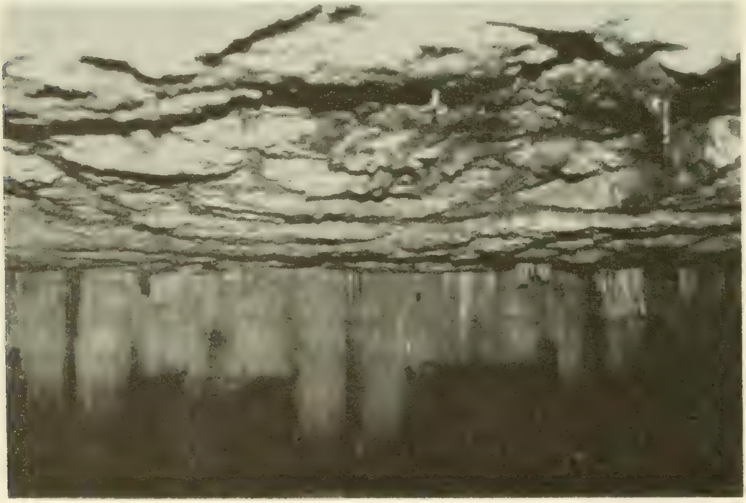


Photo 45. East jetty bulkhead, interior view of deck reinforcement. Note corrosion.

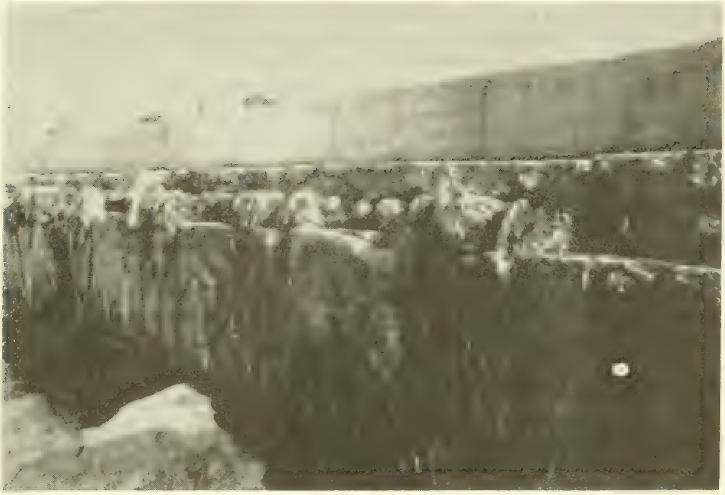


Photo 46. East jetty bulkhead, view of deck spalling, reinforcement detail, sheet pile end corrosion.

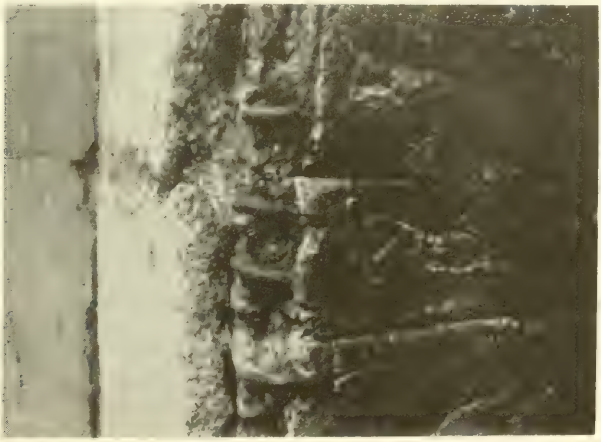


Photo 47. East jetty bulkhead, view of deck spalling and cracking, reinforcement detail, sheet pile end corrosion.

STATEMENT

to the United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
Wednesday, March 6, 1996

on behalf of
the San Diego Association of Governments

regarding
the U.S. Navy Aircraft Carrier Homeporting Project

Honorable Chairman Myers and Subcommittee Members:

We respectfully bring to the Subcommittee's attention a project of national significance, located in the San Diego region. The U. S. Navy Carrier Homeporting Project in San Diego Harbor will involve dredging the harbor entrance channel and existing carrier turning basin to accommodate the deeper draft of the nuclear aircraft carrier scheduled to arrive in mid 1998. The San Diego region has been working closely with the Navy for the past two years to develop the benefits of using clean sand dredged from the harbor as part of the project to restore our severely eroded beaches.

The U.S. Army Corps of Engineers has documented the federal responsibility for beach erosion in extensive stretches of the region's coastline. This erosion is the result of the construction of the Department of Defense's Harbor at Camp Pendleton in 1942. The Corps also evaluated the economic and technical feasibility of using the sand from the Homeporting Project for beach restoration, pursuant to a congressional request in 1995. The Corps' evaluation concluded that beach restoration was feasible and economically beneficial, and estimated that additional costs would be $17 million.

The region is pursuing a cooperative local/state/federal funding strategy to accomplish the beach restoration objective established by the Corps. Local governments are currently spending about $10 million annually on managing and maintaining beaches for public use, and are committed to continuing this responsibility in the future. The State of California has made commitments to provide $4 million of the $17 million needed for beach restoration using the Homeporting Project sand. California's Senators and the region's congressional delegation are now pursuing $13 million in federal funding from Base Realignment and Closure and supplemental funding sources at the Department of Defense. We will continue to keep in touch with the subcommittee on this funding effort, and will be contacting you regarding Energy and Water Development Appropriations if problems develop with the Department of Defense funding options.

There are several compelling reasons why this appropriation is needed:

1. The Navy's open ocean disposal options are limited. Placement of the seven million cubic yards of suitable material expected to be dredged as part of the Homeporting Project at the region's eroded beaches is the least expensive source of beach quality sand.

2. Placement of sand dredged from the Homeporting Project on the region's eroded beaches will mitigate beach erosion impacts caused by the construction of Camp Pendleton Harbor in 1942-43 as a wartime measure. These impacts have been recognized in past studies by the U.S. Army Corps of Engineers as published in House Document 456, 86th Congress 2nd Session, and other related reports. These reports conclude that restoration of downcoast beaches should be a federal responsibility.

3. The erosion of beaches in the San Diego region has exposed public and private property and infrastructure to damages from coastal storms that could total hundreds of millions of dollars. Erosion also has resulted in the loss of recreational beaches for millions of residents and visitors from around the nation and the world.

4. The current budget for the Homeporting Project is not sufficient to fund the placement of dredged material on the north San Diego coastal beaches where federal restoration responsibility has been recognized.

5. The Congress is working with many of the communities in the San Diego region on projects to reduce storm damage potential and related expenses. The use of the dredged material from the Homeporting Project to restore eroded beaches could reduce the cost of these shore protection projects by almost $30 million.

6. $20 million of potential federal interest in beach replenishment projects in the San Diego region (resulting from the construction of Camp Pendleton Harbor) have been identified by the San Diego Association of Governments based on data from the U.S. Army Corps of Engineers and the U.S. Navy.

7. The dredged material used to restore eroded beaches will result in substantial storm damage protection and recreation benefits to the communities in the San Diego region. Thousands of commercial and residential properties, hundreds of acres of public lands, and millions of dollars worth of public infrastructure will be protected.

8. The additional cost in excess of the current Homeporting Project budget for placement of dredged material at the region's eroded beaches is estimated by the Corps of Engineers at $17 million, as a result of a study prepared by the Los Angeles District of the Corps in May 1995 at the request of the area's congressional representatives.

9. The Homeporting Project presents a once in a generation opportunity to restore these beaches which are an invaluable environmental, recreational and economic resource for the nation.

The attached two pages to this testimony present basic facts about this project, reasons why this project makes sense from a cost efficiency, environmental, recreational and economic standpoint, and a listing of the strong and widespread support that the proposal has received throughout the San Diego region.

3/6/96

SAN DIEGO REGION
FUNDING FOR REGIONWIDE BEACH REPLENISHMENT

BASIC FACTS

- The U.S. Navy's Aircraft Carrier Homeporting Project in San Diego Harbor includes dredging about 7 million cubic yards of beach quality sand, starting in 1996. The project is required to deepen the carrier turning basin and harbor entrance channel.

- The Navy is supportive of placing the dredged sand on the region's critically eroded beaches at sites benefiting the region's coastal cities, as well as the Navy, and State Parks and Port District managed lands. The sites were developed by the above groups, working cooperatively at SANDAG's Shoreline Erosion Committee. SANDAG is the Council of Governments for the San Diego region.

- **The Navy will be able to cover some of the costs of transporting the sand to the region's critically eroded beaches. The additional costs of depositing sand from the Navy's project at the region's beaches has been estimated by the U.S. Army Corps of Engineers to cost approximately $17 million.**

- **The San Diego region is seeking federal and state funding help to pay the additional costs. $13 million of the $17 million needed is requested from federal Department of Defense appropriations over two years, starting in FY96. (See Addendum.)**

- **$4 million is being requested from the State of California. The state has approved $700,000 of this total through SB 654, signed by the Governor in October 1995. SANDAG is working with the Administration to include the remainder of the $4 million in the 1996 and 1997 state budgets. The Governor's proposed FY97 and FY98 budgets will include the remaining $3.3 million.**

- The San Diego region has over 30 miles of critically eroded beaches, which constitute 75 percent of the beaches between Oceanside Harbor and the International Border.

- This project could provide a significant portion of the sand needed to restore the region's beaches and to provide additional recreational opportunities and property protection.

- The region's beaches are a priceless economic (tourism), recreational and environmental resource recognized in the Shoreline Preservation Strategy adopted by SANDAG in July 1993.

- **This project presents a once-in-a-generation opportunity to improve the region's beaches at an unprecedented low cost.**

3/6/96

SAN DIEGO REGION
FUNDING FOR REGIONWIDE BEACH REPLENISHMENT

WIDESPREAD LOCAL AND REGIONAL SUPPORT

The following groups have endorsed an initiative to seek funds to support the beach replenishment component of the Navy's Carrier Homeporting project. This list indicates the widespread support, throughout the region and from all sectors of the community, for efforts to obtain funding. Support continues to grow as more groups consider and act on this issue.

San Diego Association of Governments
SANDAG's Shoreline Erosion Committee

- City of San Diego
- City of Oceanside
- City of Carlsbad
- City of Encinitas
- City of Solana Beach
- City of Del Mar
- City of Chula Vista
- City of Coronado
- City of Imperial Beach
- San Diego Unified Port District
- San Diego Convention and Visitors Bureau
- Greater San Diego Chamber of Commerce
- Cardiff Chamber of Commerce
- Carlsbad Chamber of Commerce
- Chula Vista Chamber of Commerce
- Encinitas Chamber of Commerce
- Escondido Chamber of Commerce
- Fallbrook Chamber of Commerce
- Imperial Beach Chamber of Commerce
- La Mesa Chamber of Commerce
- Oceanside Chamber of Commerce
- Poway Chamber of Commerce
- Rancho Bernardo Chamber of Commerce
- Solana Beach Chamber of Commerce
- County of San Diego
- City of El Cajon
- City of Escondido
- City of La Mesa
- City of Lemon Grove
- City of National City
- City of Poway
- City of San Marcos
- City of Santee
- City of Vista
- California Shore & Beach Preservation Assoc.
- Carlsbad Beach Erosion Committee
- Condominium Organization of South Sierra Avenue (COOSSA)
- Kids for Saving the Earth
- League of Women Voters
- Leucadia Merchants Association
- Leucadia-Encinitas Town Council
- Oceanside Beach Restoration Association
- ReSANDiego
- San Dieguito River Park Joint Power Authority
- Save Everyone's Access
- Seacoast Preservation Association
- Self Realization Fellowship
- Southwest Wetlands Interpretive Association
- Surfrider Foundation

News About SANDAG

ublication: S.D. Union-Tribune

ate: February 26, 1996

✓ 1. Executive Director
✓ 2. Dep. Exec. Director
✓ 3. General Counsel
___ 4 Finance/Admin.
✓ 5. Research
✓ 6. Land Use
✓ 8. Comm. Director
___ 9. Special Projects
___ 10. Criminal Justice
___ 11 Personnel
___ 12 Accounting
✓ 13 Sachs

Clinton OKs funds to restore badly eroded county beaches

By TERRY RODGERS
Staff Writer

Coastal cities unable to reverse the relentless erosion of their beaches — the lifeblood of the county's tourism-rich economy — can discard the doomsday scenarios for now.

The sandman cometh.

President Clinton has agreed to reallocate $13 million in unspent defense funds to a project that will let the Navy rebuild the region's most critically eroded beaches over the next three years.

"I'm ecstatic about it," said Joe Kellejian, deputy mayor of Solana Beach, where erosion has collapsed sea bluffs and frayed property owners'

you go down there today, there isn't a beach," he said. "The surf is pounding against the cliffs."

If Congress approves, the material to widen the beaches — more than 7 million cubic yards of sand — will come from a major Navy dredging project scheduled to begin this spring and continue through July 1998.

The Navy plans to convert San Diego into a home base for three nuclear-powered aircraft carriers by deepening San Diego Bay's navigation channel and building docking and maintenance facilities at North Island Naval Air Station. Because of limited funds, the Navy had planned to dump the sand in 20 to 40 feet of water just offshore from four erosion-plagued beaches in the hope that waves and tides would eventually wash some of it ashore.

But with the additional money, the sand could be pumped from barges directly ashore and distributed to nine local beaches that have experienced the worst erosion problems. Most of those beaches are between Oceanside and La Jolla, but also include Mission and Imperial Beach.

recent decades, beaches along San Diego County's 76 miles of shoreline have retreated from one to five feet annually, depending on location and on the severity of winter storms. The worst erosion has occurred in the North County. Another problem spot has been in Imperial Beach south of the municipal pier.

The president's action was prompted by a bipartisan effort led by Sen. Barbara Boxer, who lobbied for the funds in talks with Defense Secretary William Perry and Navy Secretary John Dalton.

"This is a very big breakthrough for us because we can avoid waiting for next year's budget, and it makes the funds available much more quickly," Boxer said in a telephone interview yesterday.

She said support from San Diego's entire congressional delegation — the overwhelming majority of which are Republicans and who normally disagree with her on social and environmental issues — proved decisive in persuading the president to find funding for the project.

Clinton's recommendation to reallocate the Navy funds needs the endorsement of four congressional committees.

Boxer said she anticipates no serious objections in Congress because of the enormous benefit that will be achieved from the project.

"I think it's extremely cost-effective," she said. "It doesn't make sense to throw away a resource that people need, and especially in San Diego, where we're talking about a tourist trade that's very important."

The federal government, she said, also bears an ethical responsibility to assist with the region's severe erosion because it built jetties and harbors at Camp Pendleton and in Oceanside that disrupted the natural process that used to supply sand to beaches.

Sand that would otherwise migrate south and resupply the beaches between Oceanside and La Jolla is either deflected offshore by the jetties or trapped at the entrance to Oceanside Harbor.

"You have to be a good neighbor," Boxer said. "You can't just mess up the beaches and walk away."

Based on a formula agreed to by San Diego's regional government agency, the San Diego Association of Governments (SANDAG), the sand will be distributed to the following beaches: 1.7 million cubic yards to Imperial Beach; 352,000 to Mission Beach; 704,000 to Torrey Pines State Beach; 528,000 to Del Mar's 15th Street Beach;

Another 352,000 cubic yards will go to Solana Beach; 1.2 million to Encinitas south of Batiquitos Lagoon; 616,000 to Carlsbad south of Agua Hedionda Lagoon; 616,000 south of Buena Vista Lagoon; and 1.1 million near Buccaneer Beach in south Oceanside.

The federal money is expected to be combined with $4 million in state funding, giving the Navy a total of $17 million toward the beach replenishment effort.

The state has allocated $700,000 toward the project, and Gov. Pete Wilson has recommended another $1.65 million for it in his 1997 budget, which is subject to approval by the Legislature. Proponents of the project intend to seek a final $1.65 million installment in the 1998 state budget.

The Navy anticipated the possibility of the additional funding and included the sand replenishment plan in the environmental studies done for the carrier home-porting project.

Although the mother lode of sand should greatly help relieve the region's erosion problems, it won't stay on the shoreline forever.

A SANDAG shoreline plan estimates that restoring all beaches to optimum widths would require 30 million cubic yards of sand, and another 500,000 cubic yards annually to replace what is washed away.

"This is the start of what in the coastal cities will be an ongoing program," said Steve Sachs, a beach erosion expert with SANDAG. "We're going to have to continue to pay a lot of attention to this

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March 4, 1996

Honorable John T. Meyers, Chairman
Appropriations Subcommittee on Energy and Water
Development
Washington, D.C. 20515

Dear Mr. Meyers:

Roseville has supported a Multi Purpose Dam at Auburn for many years. Why has Roseville supported a Multi Purpose Dam at Auburn? For California to continue to prosper in the future, a reliable water supply is essential. Roseville obtains its water supply from the American River.

Water from the American River is utilized for many things. First, and foremost, the river provides a high quality water supply for municipal and industrial needs. Additional water supplies are needed for California to remain viable in the future. Projected water needs for the state are less than favorable. A multi purpose project at Auburn would provide additional water supplies for future needs without diminishing existing supplies.

Second, water stored on the American River is used to control water quality in the Delta. With increased environmental demands being placed on the Central Valley Project a multi purpose project at Auburn would capture water that would otherwise be lost for habitat restoration. This water could be used to enhance existing water courses. The Central Valley Project Improvement Act allocated 800,000 acre feet of water for habitat restoration. Utilization of this water for habitat restoration has a negative impact on existing water contractors of the Central Valley Project.

Third, Folsom Reservoir provides recreational opportunities for all that visit the area. Thoroughfares through Roseville provide direct access to Folsom Lake. During the summer months commerce along those thoroughfares are greatly enhanced by higher lake elevations. A multi purpose project at Auburn would allow Folsom Reservoir to be held at higher lake elevations. A project at Auburn would enhance commerce along the access routes to the lake.

Finally, a construction project of this size would provide jobs for several hundred people for 10 to 15 years. This would enhance the region economically. Why does Roseville support a project at Auburn, IT MAKES SENSE!

I have attached copies of three resolutions that the Council has adopted. These resolutions all support a multi purpose project at Auburn. I should also point out that Roseville supports flood control for Sacramento, but not at the expense of the Cities water supply.

I appreciate the opportunity to express Roseville's support for a multi purpose project at Auburn.

Respectfully,

Derrick H. Whitehead, PE
Director of Environmental Utilities

cc
Mayor Harry Crabb and Members of the City Council
Congressman John T. Doolittle
Allen E. Johnson, City Manager
David Breninger, General Manager Placer County Water Agency

RESOLUTION NO. 95-273

EXPRESSING SUPPORT FOR A STAGED MULTI-PURPOSE AUBURN DAM

WHEREAS, the Roseville City Council has consistently expressed support for a Multi-Purpose Auburn Dam since the inception of this project; and

WHEREAS, the Roseville City Council recognizes the serious potential devastation that could result from uncontrolled flooding of the greater Sacramento Area, some of which occurred in 1985; and

WHEREAS, the Roseville City Council does not support permanent re-operation of Folsom Reservoir to meet the flood control needs of the greater Sacramento Area; and

WHEREAS, the Roseville City Council has opposed efforts in the past to build a "Dry Dam" or other flood-control-only facilities, but would support a staged multi-purpose project at Auburn; and

WHEREAS, this effort to help with interim flood control measures in no way indicates any lessening of support by Roseville for a Multi-Purpose Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville that the it hereby reaffirms its strong support for a Multi-Purpose Auburn Dam as a single project that addresses all of the water related problems including flood control, new water supply, recreation, power generation and environmental concerns of the Delta.

PASSED AND ADOPTED by the Council of the City of Roseville this 4th day of October, 1995, by the following vote on roll call:

AYES COUNCILMEMBERS: Harry Crabb, Jr., Claudia Gamar, Randolph Graham Pauline Roccucci, Mel Hamel

NOES COUNCILMEMBERS: None

ABSENT COUNCILMEMBERS: None

Mel Hamel
MAYOR

ATTEST:

City Clerk

FILED
OCT 05 1995
CITY OF ROSEVILLE
BY

C405-01

RESOLUTION NO. 95-154

RESOLUTION EXPRESSING SUPPORT FOR A MULTI-PURPOSE AUBURN DAM

WHEREAS, the Roseville City Council has consistently expressed support for a Multi-Purpose Auburn Dam since the inception of this project, and;

WHEREAS, the Roseville City Council has opposed efforts in the past to build a "Dry Dam" or other flood-control-only facilities, and;

WHEREAS, Roseville City Council recognizes the serious potential devastation that could result from uncontrolled flooding of the greater Sacramento Area, some of which occurred in 1986, and;

WHEREAS, this effort to help with interim flood control measures in no way indicates any lessening of support by Roseville for a Multi-Purpose Project, and;

NOW, THEREFORE, BE IT HEREBY RESOLVED, that Council of the City of Roseville hereby reaffirms its strong support for a Multi-Purpose Auburn Dam as a single project that addresses all of the water related problems including flood control, new water supply, recreation, power generation and environmental concerns of the Delta.

PASSED by the Council of the City of Roseville this 21st day of June, 19 95, by the following vote on role call:

AYES COUNCIL MEMBERS: Claudia Gamar, Randolph Graham, Pauline Roccucci, Mel Hamel

NOES COUNCIL MEMBERS: None

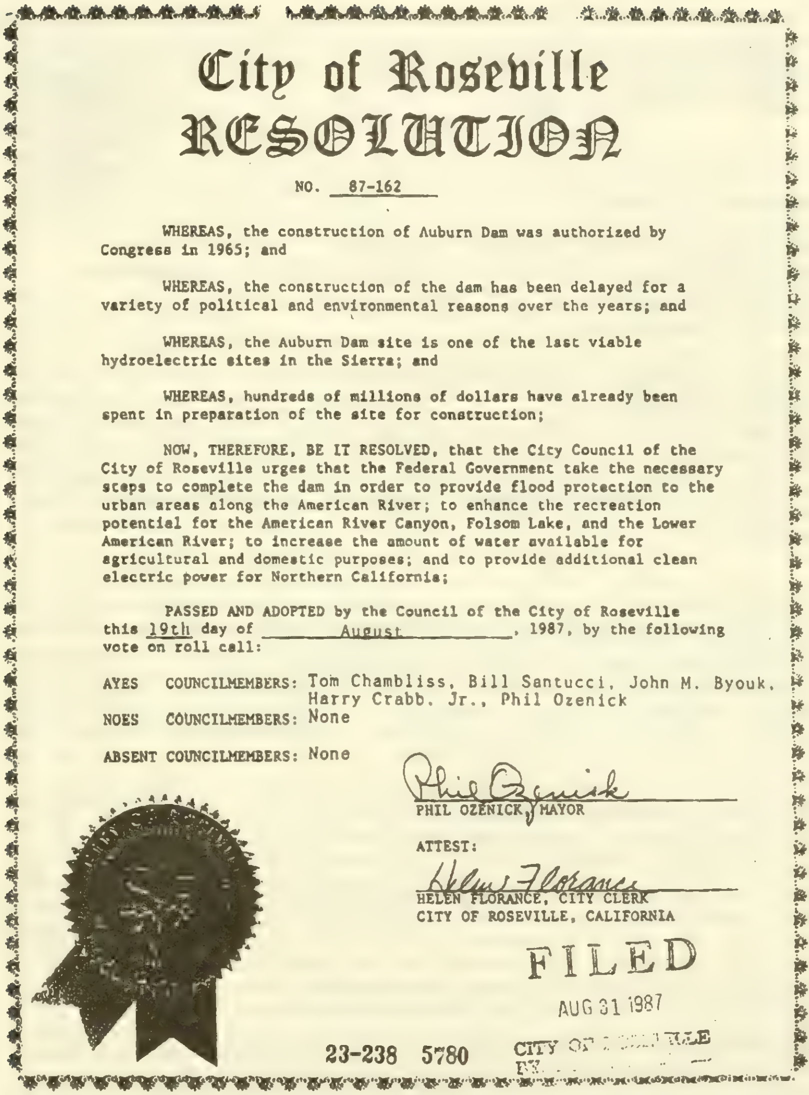
ABSENT COUNCIL MEMBERS: Harry Crabb, Jr.

Mel Hamel
MAYOR

Attest:

Carolyn Parkinson
City Clerk

FILED
JUL 19 1995
CITY OF ROSEVILLE
BY



City of Roseville
RESOLUTION

NO. 87-162

WHEREAS, the construction of Auburn Dam was authorized by Congress in 1965; and

WHEREAS, the construction of the dam has been delayed for a variety of political and environmental reasons over the years; and

WHEREAS, the Auburn Dam site is one of the last viable hydroelectric sites in the Sierra; and

WHEREAS, hundreds of millions of dollars have already been spent in preparation of the site for construction;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Roseville urges that the Federal Government take the necessary steps to complete the dam in order to provide flood protection to the urban areas along the American River; to enhance the recreation potential for the American River Canyon, Folsom Lake, and the Lower American River; to increase the amount of water available for agricultural and domestic purposes; and to provide additional clean electric power for Northern California;

PASSED AND ADOPTED by the Council of the City of Roseville this 19th day of August, 1987, by the following vote on roll call:

AYES COUNCILMEMBERS: Tom Chambliss, Bill Santucci, John M. Byouk, Harry Crabb, Jr., Phil Ozenick
NOES COUNCILMEMBERS: None
ABSENT COUNCILMEMBERS: None

Phil Ozenick
PHIL OZENICK, MAYOR

ATTEST:

Helen Florance
HELEN FLORANCE, CITY CLERK
CITY OF ROSEVILLE, CALIFORNIA

FILED
AUG 31 1987
CITY OF [illegible]
BY

MAR 0 1 1996

CITY OF FOLSOM
50 Natoma Street
Folsom, California 95630

February 22, 1996

The Honorable John T. Meyers, Chairman
Appropriations Subcommittee on Energy and Water Development
Washington, D.C.

Dear Chairman Meyers:

As the City of Folsom's representative to the Sacramento Metropolitan Water Authority for the past five years, I wanted to provide testimony on the need for a multipurpose Auburn Dam. Folsom is at risk in terms of its water needs and even more vulnerable to the threat of a major flood because Folsom Dam lies within our city boundaries. We face two perils--the probable maximum flood which overtops the dam, or as we learned last July, the peril of a spillway gate breaking and unloosing a torrent of water.

On October 2, 1995, the director of the Sacramento Area Flood Control Agency estimated that a dam failure at Folsom could cause $35 billion in damages. This estimate includes the inundation of our city of 38,000 which has a tax base of $2.5 billion. The rest of the property damage includes catastrophic damage to the City of Sacramento. Both Folsom and Sacrmento would lose major infrastructure such as hospitals, schools, fire and police stations, the state government, our water treatment plants, and other utilities, roads and bridges.

Folsom is a major transportation corridor as 45,000 commuters from three counties cross over the American River on Rainbow Bridge or Folsom Dam Road. I can remember vividly how frightening it was to cross this bridge in 1986 when over 170,000 cubic feet per second was being released from Folsom Dam to avert breeching the dam. Fortunately, the bridge withstood this pounding but the next major flood has the potential to take out this bridge. The flood risk has been well-documented by the Army Corps of Engineers (COE) and other agencies. This threat to our lives and property could be easily remedied with construction of Auburn Dam. It is clear that Folsom Dam can't provide 100 year protection.

Two major floods have inundated homes in Sacramento and Placer counties in the last 10 years, causing more than $100 million in damages. Hundreds of public agencies have sent applications for a slice of the $50 million to $100 million available from the federal grant program. There is no program which could address a property loss that encompasses 160,000 residential structures, the state capitol, and all the infrastructure at risk. The Army COE estimated that $8 billion in damages was possible under existing conditions should a 100-year flood occur. A 400-year flood could cause $16 billion in property damages. (U.S. Army COE, 1991. American River Watershed Investigation Feasibility Report, Appendix V1C, Economics) "An ounce of prevention is worth a pound of cure," said Benjamin Franklin. Auburn Dam is much more cost-effective when measured against the potential catastrophic loss of life and property of a probable maximum flood in our area.

Folsom also needs a reliable long-term water supply. We have no groundwater as an alternative supply and must rely upon surface water. Although we have the oldest water right on the American River this is not sufficient for future growth.

The demographers tell us there's a baby born every 8 1/2 seconds and over 25-years the population of California and our region will double. To handle our share of that future growth we need 35,000 acre-feet more. Since 1991 we have been trying to secure a future water supply. Folsom was one of the original cost-sharing partners in the American River Water Resources Investigation and a founding member of the Sacramento Metropolitan Water Agency which is the co-lead with the Bureau of Reclamation in that study. For the past two years we have been engaged in collaborative planning with other water purveyors in a four-county area who are also trying to obtain a reliable long-term water supply. From both activities it is clear that the only way this region will be able to meet its future water need is by building a multipurpose dam at Auburn. This facility would provide a firm supply and the additional flood control we also need.

I know that you are being very cautious in Congress when it comes to spending the taxpayer's dollars but I urge you to consider this as a very sound investment and one that in future years will be lauded as a very far-sighted action by Congress. I provide two instances for your consideration. In 1867, the Secretary of State asked Congress to buy Alaska. He had a difficult time persuading that Congress because the cost was considered exorbitant, although it was about 3 cents an acre. They called Seward a fool then but 20 years later when gold was discovered there he was called visionary. The other incident was much earlier. Around 1487, a group of advisors to the King and Queen of Spain were asked to consider the proposal of Christopher Columbus. They met for four years and then concluded this was a bad idea and should not be financed by the government. As you know, Columbus found alternative financing--Queen Isabella's jewels--and Spain eventually realized a 500,000 ratio of return on this risky investment.

Without an Auburn Dam, Folsom 's existing water supply is at risk. Because of the flood threat to Sacramento, the flood control agency has an agreement with Reclamation to operate Folsom Dam and Reservoir for maximum flood control. This means letting the water out during the winter months. If we don't have an adequate snow pack or a late season storm to fill up the reservoir the lake level goes down. This means Folsom has increased pumping costs to get our drinking water and increased turbidity in that water. Should a long drought occur again, then serious conservation measures have to be taken. There will be a market for the water from Auburn Dam--that is quite evident given the regional shortfall, and in our case it is the most viable alternative.

We urge your support for Auburn Dam because this is the only solution that provides our region with 500-year flood protection and a reliable long-term water supply. Just imagine the future--the 500 year flood occurs and Sacramento is wiped out. This Congress would be infamous as the one that could have saved us from the catastrope but did not. Wouldn't you prefer to be described as far-sighted and the ones responsible for averting a tragedy of monumental proportions? Approval of Auburn Dam could be your "finest hour," and would secure your place in history--certainly in this part of California.

An enclosure contains the key points in support of Auburn Dam which should be included for the record.

Yours sincerely,

Sara Myers

Sara Myers
Councilmember

The Federal Government Must Keep Its Promise To Sacramento

Following the destructive floods of 1963 and 1964, Congress approved Auburn Dam to protect the residents of Sacramento from the American River. Construction stopped in the mid 1980s because of the re-ordering of the federal-state cost share and a lack of ongoing appropriations.

The 1986 flood, which killed 13, injured 67, and caused 1.3 billion in damages in Northern California, forced Auburn Dam back to active consideration as a means to protect Sacramento. Our only alternative would drain the region's only multipurpose reservoir and chief water supply by 75% to make flood space, a draconian solution which also devastates the City of Folsom due to the necessity of lowering the spillway gates and other modifications which force closure of a major transportation corridor.

The updated Auburn Dam design is smaller, earthquake safe, and more cost-effective.

Sacramento has the highest flood danger of any city its size in the United States. There are more than 400,000 people in the floodplain and more than $40 billion worth of public and private property. The very first time the levees fail as they nearly did in 1986, Sacramento would sustain $8 billion in damages, not to mention the lives lost.

Sacramento was flooded in 1955, 1963, 1964, and 1986. There's a one-in-three chance of a life-threatening flood over the next 30 years. It's not a question of "if" but "when."

If Congress does not support the plan backed by this region, the State of California, the Army Corps of Engineers, and our congressmen, U.S. taxpayers will pay far more in the end in disaster relief. Auburn Dam will protect Sacramento while preventing U.S. taxpayers from spending 11 times more to rebuild and restore the 160,000 homes, 5,000 businesses, 1,200 public facilities, 117 schools, 6 hospitals, and 40 local roads and highways currently within the floodplain.

Finishing Auburn Dam keeps the Government's promise to protect Sacramento from destructive and life-threatening floods.

Auburn Dam is Necessary for New Water Development in the State

California' s population will go from 32 million today to about 49 million by 2020. Research shows California will need over 5 million acre-feet of water to meet this need (Bulletin 160, Dept. of Water Resources).

A new water study by the Bureau of Reclamation has shown that we must add over 500,000 acre-feet of water to the Sacramento region to keep pace with population growth and the needs of agriculture, industry and the environment.

The last seven of nine years were years of drought in California--an Auburn Dam can help us store water to carry us through a future drought.

Those that benefit from the water supply will pay for it. The federal taxpayer will not spend a dime for this aspect of Auburn Dam.

Sacramento
Metropolitan
Water
Authority

Michael B. Kenny
Chair
William Porter
Vice Chairman
Ed Schnabel
General Manager
Gene Robinson
Project Coordinator

MEMBERS

City of Folsom
Sam Myers
Douglas Udell

City of Galt
Bob Kranis

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Leo H. Winternitz
Henry Borowski

Arden-Cordova Water
John Redding
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Elk Grove Water Works
Mike Kenny
J.B. Jones

Fair Oaks Water District
Lyle Haag
Joe Alessandri

Galt Irr. District
Gerald E. Schwartz
John Bray

Northridge Water District
Ronald Bachman
Tom [illegible]

Omochumne-Hartnell W.D.
Ronald R. Lowry
Peter M. Rooney

Rancho Murieta C.S.D.
Ed Crouse
Dan Macdonald

Rio Linda Water District
Belinda Palm
Mel Griffin

San Juan Water District
Kathryn Matthews
Kenneth Miller

Sacramento Metropolitan
Water Authority

5620 Birdcage Street
Suite 180
Citrus Heights,
California 95610-7632

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(916) 967-7322 FAX

27 February 1996

Honorable John T. Meyers, Chairman
United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
Washington, D.C. 20515

Reference: "California Water Day", March 6, 1996

Dear Chairman Meyers:

On behalf of the Board of Directors and members of the Sacramento Metropolitan Water Authority it gives me great pleasure to provide to you our concerns about current regional water issues that the Authority and others are addressing. The Sacramento Metropolitan Water Authority is a joint powers authority, established in 1990, representing sixty six elected officials, two cities (Folsom and Galt), two private utilities, three irrigation districts and nine urban water districts. The Authority's members serve over 430,000 people.

Four major water issues have besieged this region for some time;

- Potential for major flooding;
- Lack of adequate water storage to meet water demands during extended periods of drought and future growth;
- Excessive overdraft of the groundwater basin: and
- Toxic contamination of the groundwater basin from military bases.

Solving Regional Water Issues

FLOOD CONTROL

The Authority has always supported the Sacramento Area Flood Control Agency's efforts to obtain the highest level of flood protection for the Sacramento area. Sacramento is a city at tremendous risk of flooding. The Army Corps of Engineers (Corps) predict there is one chance in three that another destructive flood will hit the city over the next 30 years -- a flood larger than what the area suffered in 1986.

Some 160,000 homes, 5,000 businesses, 1,200 government buildings -- including the State Capitol -- 115 schools, and six regional hospitals could potentially be damaged or destroyed. Flood depths could range from 5 to 20 feet deep in a floodplain over 170 square miles. The Corps has determined that an American River flood will leave the area inundated for as long as 60 days. Damages, not including costs for international, interstate and local commerce and business disruption, are estimated to be at a minimum of $8 billion and could reach as high as $18 billion.

Critical to the Authority, the region's wells, pipelines, and water treatment plants could be rendered inoperable due to flooding, posing a serious and immediate risk to public health and safety for an extended period.

WATER SUPPLY

Although the Sacramento area is rich in surface water resources, almost all of those resources are appropriated and consumed. The Authority, in concert with other water interests, participated in the *American River Water Resources Investigation*. The additional amount of water needed to keep pace with population, business, agriculture and environmental demands in the study area by the year 2030 is staggering -- more than 525,000 acre-feet per year will be needed. Additional water storage facilities would allow better management of the winter season American River watershed run off, as well as helping to maintain needed stream flows for the lower American River Chinook Salmon fishery.

GROUNDWATER OVERDRAFT

Over the past few years the Sacramento region has experienced a phenomenal increase in growth. This, coupled with six years of drought has created a heavy pumping demand upon the ground water supply. Continued over-drafting of the basin could result in permanent damage through subsidence. Three areas of overdraft exist within the boundaries of the Authority. Efforts are underway to develop a conjunctive use plan in an effort to manage the use of both surface and groundwater resources. In years of surplus water, maximum use of surface water resources would be utilized thereby allowing the groundwater basin to recharge naturally. In years of limited surface water the groundwater resources would be utilized to meet the regional water needs not met by the limited surface water resources.

GROUNDWATER CONTAMINATION

The extent of groundwater contamination in Sacramento County is severe and well documented. Several years ago four Superfund sites were identified by the Environmental Protection Agency; McClellan and Mather Air Force Bases, Aerojet (a defense contractor) and the Sacramento Army Depot. In addition, groundwater contamination exists at several other sites within the county. There are cleanup plans in effect at these sites, however, the cleanup is progressing too slowly. Reliance on groundwater resources creates excessive pumping. This heavy pumping demand and the natural flow of the basin is causing the plume of contamination, in each of the above superfund sites, to migrate toward municipal water wells, thereby jeopardizing public health.

In summary, the Authority supports the Sacramento Area Flood Control Agency and the State Reclamation Board in their efforts to construct a flood control facility on the American River, in accordance with the recommendation emanating from the Army Corps of Engineer's *Supplemental Information Report for the American River Watershed Project*, that will provide the greatest level of flood protection for the Sacramento metroplex commensurate with its population and infrastructure. The Authority also believes that a multipurpose dam on the American River is the best alternative towards meeting the four major water issues noted above; maximum flood protection; additional surface water resources; protection of the groundwater basin and additional water needed to clean up areas of contaminated groundwater. The Authority will cooperate with all federal, state and local water interests to promote, support and fund the expansion of a flood control project on the American River into a multipurpose project through necessary engineering studies, federal and/or state legislation, Joint Powers Agreements, and/or contracts.

Again, on behalf of the Board of Directors and members of the Authority, we thank you for the opportunity to convey our concerns to your committee.

Best Regards,

Michael B. Kenny

Michael B. Kenny
Chairman, Board of Directors

EERLCADAY

MOUNTAIN COUNTIES
WATER RESOURCES ASSOCIATION

7 NORTH MAIN STREET • P. O. BOX 667 • SAN ANDREAS • CA 95249 • TELEPHONE (209) 754-3883

March 5, 1996

Honorable John T. Meyers, Chairman
Appropriations Subcommittee on
Energy and Water Development
U.S. House of Representatives
Washington, D.C. 20515

Re: Water Project Appropriations
Hearings on March 6, 1996

Dear Chairman Meyers:

Atttached is testimony on behalf of the Mountain Counties Water Resources Association urging your Committee's support of appropriations for a multi-purpose Auburn Dam Project which will provide flood protection and water supply benefits which we ask be made a part of the record.

Respectfully submitted,

Christopher D. Williams

Christopher D. Williams

Enc.

BEFORE THE
HOUSE APPROPRIATIONS SUBCOMMITTEE
ON
ENERGY AND WATER RESOURCES DEVELOPMENT

HON. JOHN T. MEYERS, CHAIRMAN

TESTIMONY OF THE MOUNTAIN COUNTIES WATER RESOURCES ASSOCIATION

MARCH 6, 1996

This testimony is presented on behalf of the Mountain Counties Water Resources Association by its Executive Director, Christopher D. Williams. The Association is composed of the counties, water districts and agencies, consultants and citizens of the Mountain County or "Mother Lode" region of California. The Assoication is dedicated to protection and development of its area of origin water rights for the benefit of its rapidly growing population. El Dorado and Placer Counties are members of our Association and support development of a multi-purpose Auburn Dam which could help provide those counties with a badly-needed additional consumptive water supply.

The region which is represented by our Association has seen the water which originates there appropriated by other more powerful and populous coastal and valley regions. The Mother Lode is struggling to obtain or hold on to water which it needs for its residents.

In the current California debate concerning how best to solve the water quality and other environmental problems of the San Francisco Bay and Delta, the interests of the upstream Mother Lode have been largely ignored or forgotten, as has the concept of the need for more water storage. Additional water storage is necessary to meet both consumptive and environmental needs. We need to stop this futile effort to satisfy more and more demands out of the same existing bucket of water and realize that additional water storage is a necessity. A multi-purpose Auburn Dam can supply water for both purposes and help avoid the draconian cutbacks which lie ahead if something isn't done to increase the supply.

We urge Congress to reject the Administration's recent attempt to change the rules by increasing state and local cost-sharing to 50% of total costs -- a 100% increase in the long-standing cost-sharing principles and an abrupt undermining of our understandings and expectations.

No one can reasonably deny that Sacramento needs flood protection and that the State needs more water storage if it is to avoid future disaster and we ask your help in meeting those needs.

Thank you for the opportunity to address this important subject and thank you for your consideration.

El Dorado Irrigation District

In reply refer to: M0296-9401

February 26, 1996

Honorable John T. Meyers, Chairman
Appropriations Subcommittee on Energy and Water Development
Washington, DC 20515

Re: Support for the Auburn Dam

Dear Congressman Meyers:

The El Dorado Irrigation District supports the construction of the Auburn Dam to meet the Sacramento region's flood control, water supply and environmental water needs.

The City of Sacramento holds the dubious distinction of having the highest urban flood risk of any major city in the United States. There is a 60 percent chance that the levees along the American River could fail from a 100 year flood event, an event with a one in three chance of striking Sacramento in 30 years time. Over 400,000 people and $40 billion in private and public property are at risk. The need for adequate flood protection (500 year level) can be met with the construction of the Auburn Dam, as is supported by both the Army Corps of Engineers and the Sacramento Area Flood Control Agency (SAFCA).

Along with the obvious flood control benefits of an Auburn Dam, water supply and positive environmental benefits will accrue to the project. A flood control only Auburn Dam would provide Folsom Reservoir with a regulated storage upstream that would allow more water being made available from the reservoir for the region's growing water needs. Water for environmental purposes would also be made available , including colder temperature water that would be beneficial to the fisheries in the lower American River and the S. F. Bay/Delta. An expandable Auburn Dam would provide even higher water supplies and increased environmental water availability.

For the last two years, Sacramento region water agencies, community leaders and environmental organizations have been meeting as the Sacramento Water Forum to work together to solve the region's water needs. Auburn Dam would go a long way in addressing the future water needs of the region.

In summary, the El Dorado Irrigation District supports the Auburn Dam Project as meeting the region's flood control and water needs. Thank you for the opportunity to present our position.

Sincerely,

Richard N. Tatti, President
El Dorado Irrigation District

DW:ts

2890 MOSQUITO ROAD • PLACERVILLE • CA 95667 • PHONE (916) 622-4513

Placer County Water Agency
Business Center: 144 Ferguson Rd. • Mail: P.O. Box 6570 • Auburn, California 95604
(916) 823-4850 800-464-0030 TDD (916) 823-4966

A Public Agency

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R. G. Riolo • Walter Fickewirth
Otis Wollan • Richard Azevedo
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David A. Breninger, General Manager
Ed Tiedemann, General Counsel

February 27, 1996
File 100-14, 400-36

Honorable John T. Meyers, Chairman
Appropriations Subcommittee on Energy and
Water Development
c/o Office of Congressman John Doolittle
1526 Longworth House Office Building
Washington, D.C. 20515

Subject: Testimony by Edward Horton, Chairman, Placer County Water Agency, Regarding Support for an Expandable Multi-Purpose Auburn Dam

Mr. Chairman:

On behalf of the Placer County Water Agency I respectfully submit, as Chairman, the following testimony regarding water resource related issues facing Placer County upon which the Subcommittee is in a position to consider action and in particular support for Congressman John Doolittle's legislation for an expandable, multi-purpose Auburn Dam on the North Fork American River. I appreciate this opportunity and your consideration of my comments.

MULTI-PURPOSE AUBURN DAM

The Placer County Water Agency has supported the construction of a multi-purpose Auburn Dam for 30 years. This project is vital to the interests of the Placer/Sacramento region, the State of California and the United States Government.

(1) New Flood Control:

The greater Sacramento area is at serious risk of being flooded under 5' to 20' of water someday if proper steps are not taken soon. Sacramento has the lowest level of flood protection for any community of its size in the nation. Only a multi-purpose dam at Auburn can provide an adequate level of protection. The other alternatives for flood control not only provide significantly less protection but adversely impact the region's water supply as well, increasing the divisiveness between environmental values and economic prosperity. The U.S. Corps of Engineers, The California Reclamation Board and Sacramento Area Flood Control Agency support a flood control facility at Auburn.

(2) New Water Supply:

The Bureau of Reclamation has just released a comprehensive study of the water needs in the region to be served by Auburn Dam that shows a need for an additional 500,000 acre feet by the year 2030. On a statewide basis, the California Department of Water Resources predicts a shortage, ranging from

4 million acre feet per year to 9 million acre feet per year in 30 years. In addition, recent studies show that both the Lower American River and the Bay-Delta System need vast amounts of additional water for a variety of purposes. With a dam being the only effective solution to the flood control problem, future expandability of the structure to a multi-purpose project is critical to solving some of the water problems of the region, State and Federal governments.

(3) Interim Pumping Facilities:

The Placer County Water Agency constructed the Middle Fork American River Project, including two major reservoirs, five powerhouses and diversion facilities for its water rights at Auburn in the mid 1960's.

The Agency, at the request of the Federal government, eliminated the construction of a third major storage reservoir and hydroelectric plant to be known as the American Bar Dam and Reservoir, from our Middle Fork Project. This concession was done to allow the Federal government to make room for a 2.3 million acre feet, multi-purpose Auburn Dam and Reservoir.

In exchange the Bureau entered into a CVP contract obligation to provide the Agency 117,000 acre feet a year of water from the North Fork American River. Another agreement provided for the Bureau to remove the Agency's existing initial permanent pump station and facilities for pumping water to the inlet of the Agency's existing Auburn Diversion Tunnel. The tunnel built 30 years ago is 250 feet above the American River near the proposed Auburn Dam site. The tunnel is three miles long, 12 feet in diameter and has a capacity of 450 cubic feet per second to supply water for the municipal, industrial and agricultural needs in Placer County.

Today, the Agency requires year round, reliable access to our American River water holdings. The United States is under contract to the Agency to provide the Agency access to its American River water. To meet this obligation the Bureau of Reclamation installs a replacement pump station annually with a temporary, non-reliable, non-year round pumping facility. Not only does this temporary facility cost hundreds of thousands of Federal government dollars annually, but it must be removed each winter to avoid even further damage due to annual flooding of the pump site. This annual removal leaves the Agency without a reliable water supply for many months each year.

The Bureau has completed a preliminary concept design for the replacement of the Agency's American River Pump Station and Congressman Doolittle has included funding for the interim facility in his Auburn Dam legislation.

(4) State Highway 49 Road and Bridge Alignment and Relocation:

The relocation of State Highway 49 along with the improvement of existing connecting roads and intersections to handle the redirected traffic is an essential part of the Auburn Dam project. The Agency and the County of Placer support the provisions contained in Congressman Doolittle's proposed Auburn Dam legislation regarding this matter.

(5) Folsom Dam Safety and Reservoir Re-operations:

Folsom Dam and Reservoir (Folsom) on the American River has the highest ratio of average annual runoff to storage capacity of any reservoir in the CVP system. From 1956 to 1986, Folsom functioned as a multi-purpose project providing high levels of water supply, recreation and power, as well as flood control within the watershed. The Folsom State Park was California's most popular recreation area until the flood of 1986 and subsequent re-operation drastically changed its function. Since Folsom was designed in the late 1940's, the hydrologic record has shown much higher average and flood flows than originally thought. Today, because Folsom has such a high probability of refilling, it is regularly drained to meet new demands for Sacramento flood control and early year Delta environmental needs. This operation is well beyond its design intent. The result is that local drought water supply reliability and recreation have been sacrificed and such re-operation must cease with completion of a new Auburn dam.

The Agency recognizes the importance of assuring the safety and reliability of Folsom Dam. Last year's flood gate failure on Folsom Dam was a sharp reminder of the need for periodic safety re-evaluations and improvements as needed, as well as adequate annual preventative maintenance. The Agency supports the provisions contained in Congressman Doolittle's proposed Auburn Dam legislation regarding this matter.

Construction of a multi-purpose Auburn Dam as proposed in Congressman Doolittle's legislation would greatly increase the ability of the American River system to meet all of the demands being placed upon it and still allow for the stabilization of Folsom so it can continue to provide dry year water supply and recreation benefits to Placer County and the Sacramento region.

Sincerely,

PLACER COUNTY WATER AGENCY

Edward Horton
Chairman, PCWA Board of Directors

EH/EM/cs
pc: Congressman John T. Doolittle
PCWA Board of Directors
County of Placer Board of Supervisors
American River Authority Board of Directors
David Breninger, General Manager
Don Lunsford, Placer County Executive Director

GEORGETOWN DIVIDE
Public Utility District
P.O. BOX 4240
GEORGETOWN, CALIFORNIA 95634
PHONE (916) 333-4356
FAX (916) 333-9442

February 28, 1996

Honorable John T. Meyers, Chairman
Appropriations Subcommittee on Energy and
 Water Development
c/o Honorable John T. Doolittle
1526 Longworth House Office Building
Washington, D. C. 20515-0504

Dear Chairman Meyers,

Georgetown Divide Public Utility District appreciates the opportunity to provide testimony in favor of construction of Auburn Dam.

The Sacramento region is in critical need of flood protection. A dam at Auburn can provide the most cost effective long-term flood control for this highly populated, major economic and governmental center in California.

The Auburn Dam Project, originally authorized thirty years ago, would have provided flood protection, environmental flow regulation, and water supply to California's capitol, the San Francisco Bay-Delta Estuary, and the agricultural economy of the Great Central Valley. An expandable flood control structure at Auburn is today a component of that vision, providing the best long-term protection per flood control dollar spent.

The Appropriations Subcommittee on Energy and Water Development has the opportunity of investing in infrastructure which will reap returns far into the future, providing local areas security from flood damage and the option of expanding the facility's usefulness into dimensions of environmental flow regulation, power, and water supply.

I ask that the Subcommittee maintain the long-term and comprehensive vision upon which the strength of this great nation was developed. The people and assets of the Sacramento region, the Capitol of the State of California, deserve the maximum protection available from the flood control dollar. The environment of the San Francisco Bay-Delta

Estuary and the water supply demands served from the Delta merit options for storage and flow control. The expandable Auburn Dam offers the opportunity to effectively and comprehensively respond to needs in all these dimensions of California's future.

Thank you for consideration of these comments.

Sincerely,

GEORGETOWN DIVIDE
PUBLIC UTILITY DISTRICT

ROBERT E. FLYNN
President
Board of Directors

San Juan Water District

P.O. Box 2157 • Granite Bay, California 95746 • 916.969.2279
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Mark E Verke, *Vice President*
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Honorable John T. Meyers, Chairman
United States House of Representatives
Committee on Appropriations
Subcommittee on Energy and Water Development
Washington, D.C. 20515

February 26, 1996

Reference: "California Water Day", March 6, 1996

Dear Chairman Meyers:

I appreciate the opportunity to provide testimony regarding the concerns members of the Board of Directors of San Juan Water District share regarding the lack of water storage capacity and flood protection within our region. More specifically, our united belief in the necessity for the construction of the multi-purpose Auburn Dam.

San Juan Water District (District) was formed under California's Community Services Act in 1954 and provides water service to five agencies with a total population of 180,000. As part of the District's formation, the North Fork Ditch Companies entire holdings were purchased, giving our District a history of continuous water service that extends back to 1854. My purpose for bringing this to your attention is to provide you with some measure of our extensive history (some of the oldest of California's history) on both the destructive flooding potentials of the river and the lack of yield during drought years.

We find ourselves today, more than 140 years later, still searching for a water supply sufficient to meet the future demands of our growing communities. Still witnessing the awesome extremes of either too much or too little yield of the American River. The potentials I speak of are not statistical analysis demonstrating possibilities or probabilities, they are historical events of major proportions. We recall the 1976-1977 severe drought followed by the destructive forces associated with the 1986 flood, followed by the protracted drought of the late 1980's and early 1990's.

If that were not enough, the region is faced with both ground water overdraft and ground water contamination issues.

For years we have patiently stood by waiting for the federal government to keep its promise to Sacramento. Following the destructive floods of 1963 and 1964, Congress approved the Auburn Dam to protect the residents of Sacramento from the American River. But because of the re-ordering of the federal-state cost share and a lack of ongoing appropriations, construction was stopped in the mid 1980's. The 1986 Flood was a wake up call to the destructive flooding potential of the river. Thirteen people were killed, sixty seven injured and 1.3 billion dollars in damage were incurred.

Completing the federal government's promise to Sacramento by building the Auburn Dam not only strengthens flood protection, but it will also provide much needed water necessary to meeting the demands of a growing California region. The state population is expected to continue to explode, from 32 million residents today to an anticipated 49 million residents by the year 2020.

While some would argue the construction of a dam at Auburn would impact the environment, the reality is that the environmental benefits achieved through the building of an Auburn Dam are far more constructive than destructive.

With regard to the safety of the site, the dam's seismic safety has been studied more than any other site in the world.

The District strongly believes that the construction of an Auburn Dam will add much needed additional water storage, allow better management of the winter season American River watershed run off, necessary for providing the level of flood protection needed by Sacramento, as well as provide a variety of environmental enhancements including those needed to support the Chinook Salmon fishery.

Our District stands ready to support efforts leading to the construction of the long overdue Auburn Dam. On behalf of the Board of Directors, thank you for the opportunity to provide you testimony to our concerns.

Sincerely,

Ken Miller

Ken Miller, President, San Juan Water District

California Farm Bureau Federation
1601 Exposition Boulevard • Sacramento, CA 95815 • Telephone (916) 924-4000

Statements of the
California Farm Bureau Federation

To
The House Appropriations Subcommittee on
Energy and Water Development
The Honorable John T. Meyers, Chairman

Regarding

California Water Development

March 6, 1996
Sacramento, California

The California Farm Bureau Federation (CFBF) is the largest general farm organization in the state. We have more than 42,000 member farm families and more than 75,000 member families in total. Nationwide our views are reflected by the American Farm Bureau Federation, which represents more than four million members. We appreciate the opportunity to provide a statement in support of the positive changes that are necessary to ensure an adequate and sustainable supply of quality water for all Californians. This subcommittee and Congress have an excellent window of opportunity to address these problems in a very constructive and meaningful way that benefits all of California.

CFBF is very concerned about the state's inability to provide enough water to meet present and future water demand and its implication for family farms throughout California. California's average annual water supply could actually decrease during the next 25 years, according to the California Department of Water Resources (DWR). The most recent water budget issued by DWR, generally known as Bulletin 160-93, predicts a water deficit in the state by the year 2020 of 3 million acre/feet of water during an average year and up to 10 million acre/feet in drought years. These figures are conservative and assume that increased water conservation, water recycling, conjunctive use and storage south of the Sacramento-San Joaquin Delta will all be accomplished and will be effective in reducing the water deficit.

Even in years of normal rainfall, pressures from overburdensome regulations have resulted in drought conditions for California's farmers and ranchers. A regulatory drought has caused water supplies to be dramatically scaled back. On February 15, 1996, the Bureau of Reclamation released their plans for water allocations for the Central Valley Project at 60 percent of contract supplies to most agriculture customers. This announcement serves as an illustration of the worsening predicament of the state's farmers to provide high quality food and fiber efficiently and with affordablity. While precipitation has improved, the permanent regulatory drought continues for farmers in the Central Valley. Despite the recent rainfall and snow storms, farmers will not realize their full irrigation supplies supposedly guaranteed by contract.

In announcing the deliveries, officials cited physical limitations preventing them from delivering more water. Due to federal and state environmental restrictions, more water is diverted to wildlife refuges. Farmers will have to reduce production or resort to pumping precious groundwater supplies to make up the shortfall in surface deliveries, further aggravating over drafted basins.

While California's water supply decreases, the state's population continues to increase. The state forecasts a population of 49 million people by 2020, up from 30 million in 1990. Even with extensive water conservation, the state forecasts urban water demand will increase by approximately 3.7 million acre/feet by 2020, to reach a total demand of 10.5 million acre/feet of water. The average annual net water demand for environmental needs is projected to increase by an additional 400,000 acre/feet by 2020. (Meanwhile, agriculture net water demand is expected to decline by 1.9 million acre/feet by 2020.) With population exploding and water delivers decreasing, how are California farmers and ranchers going to provide more food and fiber?

The answer to the state's growing population and the continuation of the regulatory drought, is the development of new California water supplies. Experience already shows that additional facilities must be authorized and constructed to provide needed flood control and stream bank protection.

Since the December 15, 1994 Bay/Delta Accord, CFBF has actively participated in the CALFED Bay-Delta process. The CALFED process is an unprecedented effort to bring all stakeholders together to craft a solution that will benefit all parties. The CALFED agencies include the California Department of Fish and Game, Department of Water Resources, California Environmental Protection Agency, California Water Resources Control Board, The U.S. Environmental Protection Agency, Fish and Wildlife Service, Bureau of Reclamation, and the National Marine Fisheries Service. We remain committed to finding solutions to California's water supply problem and believe that a long term solution to the Delta is critical to agriculture and water management in California. A Delta solution is essential to assure the maximum utilization of any stored or conserved water. We therefore urge an expeditious review of the options outlined by CALFED to move water more efficiently through the Sacramento-San Joaquin Delta. We also urge an appropriate level of federal funding for on the ground improvements as part of this effort.

The most recent large scale reservoir completed by the federal government was the New Melones Reservoir on the Stanislaus River in 1979. There are approximately 1,400 reservoirs in California, which can hold about 42 million acre/feet of water. The State Department of Water

Resources describes that capacity as "a relatively small amount of storage in proportion to the 71 million acre/feet of annual runoff." The clock is ticking for California to balance its water budget.

A prime example of new water development is the need for the Auburn Dam as a multi-use facility. We believe the required local support exists, and that there is the utmost urgency for Congress to reauthorize the Auburn Dam, which will help protect the interests of all U.S. citizens in the food productivity of the country and the flood protection of one of California's most populous metropolitan areas.

However, for any policy to succeed, California agriculture water rights and the protection of agriculture land must not be diminished. Agriculture has traditionally had secure rights to water and land, but these rights are being undermined by an increasing population and new demands for urban and environmental uses.

Once again, thank you for the opportunity to submit a statement to the subcommittee on the need for water development in California.

STATE OF CALIFORNIA - THE RESOURCES AGENCY
PETE WILSON, *Governor*

Department of Water Resources
CALIFORNIA WATER COMMISSION
1416 NINTH STREET, ROOM 1148
SACRAMENTO, CALIFORNIA 95814

Please Address Communications to:
The Chair of the Commission
P.O. Box 942836
Sacramento, CA 94236-0001
Phone: (916) 653-5958
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Daniel F Kriege, Vice Chair - Capitola
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Clair A. Hill - Redding
Michael D. Madigan - San Diego
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Rikard L. Sorensen - Walnut Creek
Audrey Z. Tennis - Chico

STATE-FEDERAL COST-SHARING RELATIONSHIPS

Last year, the House Committee Report for the Energy and Water Development bill noted that future federal funding for projects authorized in CVPIA would be dependent on California meeting its cost-sharing "obligations" under the Act. CVPIA directed Interior to enter into a cost-sharing agreement with the state for specified environmental restoration actions whose costs the act allocated in part to California. USBR, USFWS, DWR, and DFG negotiated and signed a master cost-sharing agreement in 1994. Under that agreement, task order agreements are to be executed for individual restoration actions, as funds become available. Several task order agreements are under preparation, and one is now being routed for signature for acoustic fish barrier testing at Georgiana Slough.

However, the absence of signed task orders has not meant that California has not funded cost-shared actions. As the attached table notes, there have been significant non-federal contributions toward CVPIA cost-shared programs. Furthermore, the Governor has included as part of his fiscal year 96-97 budget $ 50 million for state cost-sharing under the master agreement, contingent upon enactment and voter approval of SB 900, the Water Resources and Delta Restoration Act of 1996. This bill would place a $540 million general obligation bond measure before the voters on the November ballot. In addition to funding CVPIA cost-sharing, the measure would fund Bay-Delta restoration activities including Category III environmental restoration projects identified pursuant to the 1994 state-federal Bay-Delta accord.

Beyond the narrow scope of the cost-sharing specified in CVPIA, there have been significant non-federal contributions toward USFWS/USBR responsibilities. Some examples include:

> Federal power users have executed an agreement with USBR to provide upfront financing of 100% of the cost (estimated at $21.2 million) of rewinding three generators at the Shasta Dam powerplant. Since USBR was unable to obtain appropriations to rewind the three extensively deteriorated generators, local power users agreed to fund the work to prevent an in-service failure of the units.

The state has long been active in seeking a solution to water supply reliability and environmental restoration needs in the Bay-Delta. During the most recent effort initiated as a result of the Governor's 1992 water policy, DWR expended over $2 million beginning a long-term solution-finding process. Subsequent to signature of the 1994 Bay-Delta accord, Cal-Fed members executed an agreement for state-federal cost-sharing of the long-term solution-finding process for Bay-Delta water supply reliability and environmental actions. The agreement provides equal sharing in the estimated $20 million process. The parties recognized that the state would be contributing the bulk of the funds in the early part of the agreement, reflecting the availability of state and federal funds at that time. The parties are projecting the following contributions for this year and next year:

	FY 95-96	FY 96-97
State	$4.3 million	$2.55 million
Federal	$2.2 million	$3.65 million

Historically, the state and federal governments have worked cooperatively on cost-shared programs with the funding available to them. For example, DWR at one time was significantly ahead of USBR on costs associated with implementing the state-federal Suisun Marsh Preservation Agreement, although USBR subsequently caught up with its payments. Another example is the South Delta program, which arose from an agreement negotiated in 1986 among DWR, USBR, and the South Delta Water Agency to settle litigation brought against the state and federal water projects by the Agency. Under that agreement, DWR and USBR agreed to cost-share in a number of measures to improve water circulation and water quality in the South Delta, including installation and testing of temporary barriers at various locations in South Delta channels, and design of permanent barriers. DWR funded and carried out an initial five-year program of barrier testing at a cost of about $3.5 million through federal fiscal year 1995. It was not until FY 95 that USBR received its first appropriation of $200,000 for this activity. DWR has also funded virtually all of the long-term planning work and EIR/EIS preparation associated with water management improvements in the South Delta, including design of the permanent barriers. Expenditures since state fiscal year 1990-91 are about $8 million.

The interagency ecological program extends back to 1970, when state and federal water and fishery agencies executed an interagency agreement for a joint effort to evaluate effects of the state and federal water projects on Bay-Delta ecological resources. Currently eight state and federal agencies formally participate in the program, although the majority of the funding is provided by DWR and USBR.

The IEP is a major source of information for the comprehensive assessment and monitoring program which Interior was subsequently directed to perform by the CVPIA. Over the long history of IEP implementation, DWR financial support has greatly exceeded USBR's; only in recent years has USBR funding been somewhat increased. In some recent years, the balance in million dollars has been:

Fiscal Year	DWR	USBR
92-93	$6.4	$3.6
93-94	$6.2	$3.6
94-95	$6.6	$3.0

ATTACHMENT

Estimated non-federal expenditures on cost-shared restoration actions
(October 30, 1992 through September 30, 1995)
(thousand dollars)

Restoration Action	Non-federal funding
Contra Costa Pumping Plant Fish Screen	170
Clear Creek fishery restoration	278
Spawning gravel restoration	450
Georgianna Slough acoustic fish barrier	1514
Old River Barrier	2300
Striped bass restoration	163
GCID Pumping Plant fish passage	1380
Refuge water supply	184
Ecosystem & water operations models	70

(Non-federal contributions to the 3406(b)(21) fish screening program are not included in this table, because state cost-sharing is not mandatory under this section of the act.)

STATEMENT BY THE CITY OF STOCKTON, CALIFORNIA

BEFORE THE

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT

OF THE

UNITED STATES HOUSE OF REPRESENTATIVES

THE HONORABLE JOHN MYERS, CHAIRMAN

MARCH, 1996

WASHINGTON, D.C.

FLOOD CONTROL AND RECLAMATION APPROPRIATIONS

FISCAL YEAR 1997

City of Stockton, California

Mr. Chairman and Members of the Committee:

The City of Stockton supports the following Corps of Engineers and Bureau of Reclamation water, flood control and fishery projects:

1.	Stockton Metropolitan Area Study and Farmington Dam Evaluation	$ 550,000
2.	Sacramento/San Joaquin Delta Investigation	$ 600,000
3.	American River Watershed	$ 3,500,000
4.	South Delta Barriers	$ 6,000,000
5.	New Melones Water Management Study (New Protect)	$ 150,000

U.S. CORPS OF ENGINEERS

STOCKTON METROPOLITAN AREA STUDY AND FARMINGTON DAM EVALUATION $550,000

The Federal Emergency Management Agency (FEMA) has recently completed a study of flood potential for the Stockton Metropolitan area. The study concludes that much of the Stockton Metropolitan area does not have protection from a 100-year flood. The affected area includes all of downtown Stockton and the most heavily populated areas of the community.

Although the City of Stockton and San Joaquin County are pursuing a locally funded project to restore the 100-year flood protection, U.S. Army Corps of Engineers' assistance is needed to review alternatives that would raise this level of protection to at least 200 years. This study may also identify a multiple purpose project that could help resolve our inadequate water supply situation.

Farmington Dam is an existing Corps of Engineers flood control project in San Joaquin and Stanislaus Counties. It is normally dry, but controls flows from the Little John Creek stream group during flood events. Last year, the California Water Commission supported a request from the City of Stockton, San Joaquin County and the Stockton East Water District to seek funding from Congress for a reconnaissance level study to evaluate the dam's foundation, and to determine feasibility of enlarging the reservoir from 52,000 acre feet to 160,000 acre feet to provide a pool for water supply storage. A project to raise the level of Farmington Dam shows the promise of being able to provide water to the City of Stockton via Stockton East Water District from its Stanislaus River Project with minimal additional infrastructure. The increased utilization of upstream reservoir storage and operational improvements at Farmington Dam to enhance downstream flood protection will greatly benefit our region.

SACRAMENTO-SAN JOAQUIN DELTA INVESTIGATION $ 600,000

This important investigation is being conducted jointly with the California Department of Water Resources. The study will examine alternatives to improve flood control, water supply and environmental concerns such as riparian vegetation and water quality in the Delta. This study is of paramount importance in regard to current and future California Water needs.

AMERICAN RIVER WATERSHED $ 3,500,000

At the direction of Congress, studies have been conducted to evaluate expandability and gating aspects of Auburn Dam; re-evaluate other methods of flood control including levee improvements, and study coordinated operational procedures in order to determine if Folsom can be operated differently to provide additional flood protection to Sacramento; and develop criteria to increase the available flood control space in Folsom in conjunction with the Bureau and local interests. The Corps was also specifically directed to study the potential for a reservoir at Deer Creek south of Folsom. This is of particular interest to San Joaquin County as it offers a potential water supply source from the Folsom South Canal.

Congressman Doolittle has made very significant progress in insuring that the Corps of Engineers Dry Dam is expandable and will be able to provide the inevitable water supply requirements in the future. This project has region wide benefits in the protection of the State Capitol, 300,000 people and major transportation arteries from flooding.

BUREAU OF RECLAMATION

SOUTH DELTA BARRIERS $6,000,000

Last year the California Water Commission supported a funding add-on request to allow the Bureau to participate with the State in constructing a barrier to improve water quality in the South Delta. The request came from the South Delta Water Agency and was supported by the City. The City continues its support of this project. The City's Water Quality Model of the San Joaquin River indicates this barrier would greatly enhance water quality in the vicinity of Stockton.

New Melones Water Management Study $150,000

Since the implementation of CVPIA, it has become increasingly clear that New Melones Reservoir does not have a rational plan for operation. The Stockton East Water District's $65 million water facilities, built to convey New Melones water to the Stockton area, are essentially unusable because water from New Melones Reservoir is being allocated for CVP and CVPIA mitigation uses. The Bureau of Reclamation should be directed to complete a detailed analysis of the operational commitments for the reservoir as well as project hydrology in order to determine a logical and supportable operation plan that includes fulfilling regional needs as well as statewide requirements. This study would accomplish that end. The City is highly supportive of the need for this study.

I, KATHERINE GONG MEISSNER, do hereby certify as follows:

I am the duly appointed, qualified Interim City Clerk of the City of Stockton, a California municipal corporation; as such City Clerk, I am the custodian of the official records of the City Council of said City. The attached Resolution is a full, true, and correct copy of Resolution No. 96-0082 of said City Council, which was adopted by the City Council on 26 February 1996.

IN WITNESS WHEREOF, I have hereto affixed my hand and the seal of the City of Stockton on 27 February 1996.

KATHERINE GONG MEISSNER, INTERIM CITY CLERK
CITY OF STOCKTON

By Christa R Bodin
Deputy

Resolution No. 96-0082

STOCKTON CITY COUNCIL

WHEREAS, on March 6, 1996, appropriate committees of the Congress of the United States will conduct hearings to consider federal appropriations for water, flood control, and fishery projects for Fiscal Year 1997; and

WHEREAS, several projects to be considered at said Congressional hearings will directly impact the City of Stockton and its environs; and

WHEREAS, the expeditious construction of said projects is required to protect the health, welfare and safety of the residents of this area; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON AS FOLLOWS:

1. That the City of Stockton does hereby support the appropriation of federal funds by the Congress of the United States for water, flood control and fishery projects for Fiscal Year 1997, namely:

    a. Stockton Metropolitan Area Study and Farmington Dam Evaluation

    b. Sacramento-San Joaquin Delta Investigation

    c. American River Watershed

    d. South Delta Barriers

    e. New Melones Water Management Study

ITY ATTY
REVIEW
DATE FEB 2 3 1996

EXHIBIT(S) ARE ON FILE
IN THE CITY CLERK'S
OFFICE

2. That the "Statement by the City of Stockton, California Before the Committee on Appropriations Subcommittee on Energy and Water Development of the United States Senate"; and the "Statement by the City of Stockton, California Before the Committee on Appropriations Subcommittee on Energy and Water Development of the United States House of Representatives" ("STATEMENTS") are hereby approved as the official STATEMENTS of the City Council. Copies of said documents are attached as Exhibits "A" and "B" respectively, and incorporated by this reference.

3. That the Mayor is hereby directed to forward copies of said STATEMENTS to the appropriate Congressional Committees and to the City of Stockton's representatives in the U. S. Senate and House of Representatives, and the City Manager will monitor and initiate proper follow-up communication and correspondence to reflect the City Council's position.

PASSED, APPROVED and ADOPTED FEB 26 1996.

/S/ JOAN DARRAH
JOAN DARRAH, Mayor
of the City of Stockton

ATTEST:

/S/ KATHERINE GONG MEISSNER
KATHERINE GONG MEISSNER
Interim City Clerk of the
City of Stockton

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